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Vol. II. No. 1. JULY, 1920

Tyler's Quarterly Historical

and

Genealogical Magazine

Editor: LYON G. TYLER, M. A., LL. D.

Tyler's Quarterly Historical and Genealogical Magazine

Vol. II. JULY, 1920. No. 1.

NOTICE

Owing to the high cost of printing, the editor finds it necessary to advance the price of this magazine, beginning with the July number, 1920, from $3 to $4 per year. Single numbers will be sold at $1.25.

As back numbers of the old William and Mary College Quarterly, which was the original name of the present magazine, have become very scarce, single copies, as far as had, may be obtained for $2 a-piece.

Address all communications to LYON G. TYLER, 711 Travelers Bldg., Richmond, Va.

CONTENTS

The Arrested Charter of 1676 289
A Trip to the North 294
British Humanity 310
The Finding of Fauquier 314
The Battle of Point Pleasant 320
Tombstone of Mrs. Elizabeth Hill Skipwith 322
Lord Dunmore, "The Great Emancipator" 323
The Loyalists of New Brunswick, Canada 325
Burwell of New Jersey and Canada 327
The Baptists of Fauquier County 329
Sergeant Major Champe 331
Colonel Francis Taylor 335
A List of Marriage Bonds—Northampton County, Va... 338
Historical and Genealogical Notes 357

TYLER'S QUARTERLY HISTORICAL

and

GENEALOGICAL MAGAZINE

EDITOR: LYON G. TYLER, M. A., LL. D.

VOLUME II.

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Tyler's Quarterly Historical and Genealogical Magazine

Vol. II. JULY, 1920 No. 1.

THE ARRESTED CHARTER OF 1676.

The prodigal grants of land in Virginia by Charles II to certain court favorites gave rise in 1674 to one of the most important missions ever sent abroad from this State. The commissioners were Col. Francis Moryson, Thomas Ludwell, Secretary of State, and Major General Robert Smith, of "Brandon," Middlesex County; and their mission was to get rid of these grants, and to obviate any future danger of a similar character. This object they thought to obtain by a charter incorporating the colony and providing for a distinct recognition of their ancient privileges of self-government.

Everything proceeded at first according to their most ardent wishes. The agents for Virginia opened the negotiations by presenting certain heads as the basis of the charter desired, and each head was accompanied by an explanation. That accompanying taxation is the most elaborate argument presented on the subject by any of the colonies during the seventeenth century. All suggestions of the Virginia agents were accepted, and the King in council on October 19, 1675, commanded the charter to be drawn up, which was accordingly done by the Attorney General, William Jones, and the Solicitor General, William Winington. But the delays were so numerous in going through the official forms, that, notwithstanding the most assiduous attention of the deputies from Virginia, much time was consumed. The news of Bacon's Rebellion reached England before the completion of the official forms, and the charter was finally stopped in the signet office. Lord Culpeper, whose interests were affected by the charter and who was hostile at heart, being appointed governor for life, had the instrument very much reduced from its original generous ex-

pression, and in this abbreviated shape it passed the great seal. It did not revoke, however, any of the ancient rights of the Virginia people, but simply failed to say anything about some of them.

It is strange that, while all the other papers attending this important and interesting mission have been published either in *Hening* or *Burke,* the complete charter has never, to my knowledge, been published. The copy below was obtained from the signet office in London by Messrs. B. F. Stevens and Brown at the instance of the Virginia State Library, and is now published with the consent of the State Librarian, Dr. H. R. McIlwaine.

As far as the charter itself is concerned, its mere failure to receive the final formalities, does not in any way affect the commitments of the King in council, who recognized everything contended for by Virginia in the Revolutionary quarrel, that the colony was dependent solely on the Crown of England and that the General Assembly of the Colony had the sole power of imposing taxes. It was no exception really to this principle that Parliament was permitted by the charter to impose a tax in England on produce shipped from the Colony.

Public Record Office, Signet Office, King's Bills, Bundle 52.

CHARLES R

Charles the Second by the Grace of God, &c. To all to whome theise prsents shall come Greeting. Know yee That Wee not onely in respect of our owne Service but for the Increase and growth of the Plantacon of Virginia in America of Our especiall Grace certaine knowledge and meere mocon Have made Ordeined and constituted. And by theise Presents for Us Our heires and successors doe make Ordeine and Constitute The Governor Councell and Comonalty of Virginia now and for the time being One Body Pollitique and Corporate in Deed and in name by the name of the Governor Councell and Comonalty of Virginia. To the intent and purpose onely that they shall and may be able and capable in the Law to Purchase and reteine all the Territory Lands Tenements Hereditaments proffitts priviledges and advantages in Virginia in America by us lately granted unto the Earle of St Alban John Lord Berkley Sr William Moreton and John Trethewy and theire Heires; the Statute comonly called the Statute of Mort-

maine or any other Act or Statute to the contrary notwithstanding. And Our further Will and pleasure is And We do hereby declare and grant that all the Subjects of us our heires or Sucessors from time to time inhabiting in Virginia shall have theire imediate Dependance upon the Crown of England under the Rule and Government of such Governor or Governors as Wee our heires or Successors shall from time to time appoint in that behalfe and of or upon noe other person or persons whatsoever And that the Governor for the time being shall bee resident in that Countrey except Wee our Heires or Successors shall att any time Comand his Attendance in England or elsewhere in which case a Deputy shall be chosen to continue dureing the absence of such Governor in manner as hath formerly been used unles Wee our Heires or Successors shall thinke fitt to nominate the Deputy Who shall bee one of the Councell there But if any Governor happen to dye then another Governor shall and may be chosen as hath been formerly used to continue until Wee our Heires or Successors shall appoint a new Governor. And Moreover That noe manner of Imposicons or Taxes shall be laid or imposed upon the inhabitants or Proprietors of Virginia but by the Comon consent of the Governor Councell and Burgesses as hath been heretofore used and Except such as may bee laid by Act of Parliamt in our Kingdome of England on the Comodities or Merchandizes which come from Virginia And further alsoe That Wee our Heires or Successors will not for the future Grant any Lands in Virginia under the Great Seale of England without first being informed by the Governor and Councell there for the time being or some person impowered by that Governmt whether such Grant will not bee prejudiciall to Plantacons there and that all Lands now possessed by the severall and respective Planters or Inhabitants of Virginia are and shall be Confirmed and Established to them and theire Heires for ever where the Property of any perticuler mans interest in any Lands there shall not bee altered or prejudiced by reason thereof And our further Will and Pleasure is And wee hereby of our further Grace and favour Declare and grant that for the Encouragement of such our Subjects as shall from time to time goe to Dwell in the said Plantacon there shall bee assigned out of the Lands (not already appropriated) to every person soe comeing thither to Dwell ffifty Acres; according as hath been used and allowed since the first Plantacon to bee held of us our Heires and Successors as of our Mannor of East Greenwich in our County of Kent in free and comon Soccage And that all Lands possessed by any Subject Inhabiting in Virginia which have Escheated or shall Escheate to us Our Heires or Successors shall and may bee Enjoyed by such Inhabitant or Possessor his Heires and Assignes for ever paying Two pounds of Tobacco Composicon for every Acre which is the rate sett by our Governor

according to our Instruccons to him in that behalfe And further That the Governor and Councell of Virginia for the time being or any five or more of them (whereof the Governor to bee one) shall and hereby have full power and authority to heare and Determine all Treasons Murders ffellonies and other Offences Comitted or done or to be Comitted or done within the said Governmt Soe as they proceed therein as neere as may bee to the Lawes and Statutes of this our Kingdome of England And that the said Governor for the time being shall and hereby hath full power to pardon all Crimes and Offences unles for Murder or Treason And in those cases if he see occasion to reprieve Untill he shall have given the State of the ffact to us our Heires or Successors and received our or their Royall Determinacon therein. And Wee Doe hereby for us our Heires and Successors Ratifie and Confirme the power and Authority of the Grand Assembly of Virginia Consisting of a Governor Councell and Burgesses But soe as Wee our Heires or Successors may att our or theire Pleasure revoake any Law made by them And that noe Law soe revoaked shall after such Revocacon and Intimacon thereof from England bee further used or Observed And Lastly Know yee That wee being of our Royall goodnes Graciously Inclined to favour the Subjects of us our Heires and Successors which now doe or hereafter shall inhabite in the said Countrey of Virginia or Territory of Accomack and to give the more liberall and ample encouragemt to Plantacons there Doe hereby Declare Our Royall Will and Pleasure to bee that all and every Clause Article and Sentence in these Our Letters Patents conteined shall bee from time to time for ever thereafter as often as any Ambiguity Doubt or question shall or may happen to arise thereupon expounded construed deemed and taken to bee by us meant and intended and shall Enure and take effect in the most beneficiall and available sence to all intents and purposes for the proffitt and advantage of the Subjects of us our Heires and Successors as well against us our Heires and Successors as against all and every other person and persons whatsoever any Law Statute Custome or Usage to the contrary thereof in any wise notwithstanding. In Wittnesse &c. Witness &c.

Ex
W Jones

May itt Please Your Most Excellent Matie:

Your Matie is hereby Graciously pleased to make the Governor Councell and Comonalty of Virginia A Corporacon To the Intent onely to Purchase and Reteine Lands in Virginia formerly Granted to the Earle of St Albans and others And to Grant severall other Liberties and Priviledges for the Increase of the Trade and Growth of the

Plantacons of Virginia according to Yor Maties Pleasure Signified by Order in Councell the Nineteenth day of October last.

Wr Jones
24 febr 1675

[on the back]

March 1675/6
Expedr apud Westmr tertio die Martjanno R R s Car Sedi Vicesimo Octavo ℔ Warwick

[also]
Governor & Councell of Virginia
to be a Corporacon, by order of Councell.

P. R. O. Signet office. Docquet Books (1675 &c.) (*Indexes*, 6816), p. 245.

1675[6] March.

Virginia Corporac

An Incorporating of the Governor Councell, and Comalty of Virginia, to the intent only to purchase and reteine lands in Virginia formerly granted to the Earle of St Albans and others And to grant severall other liberties & priviledges for the increase of the Trade and growth of the Plantacons of Virginia Subscr by Mr Attorney genall By Order in Councell Procm by me Secret Coventry.

A TRIP TO THE NORTH.

In the Va. State Library there is a Ms. book containing a journal, by James Skelton Gilliam, of Petersburg, Virginia, of a trip to Saratoga in 1816. He was a son of Dr. James Skelton Gilliam, who married Mary Feild, daughter of Theophilus Feild, of Bristol Parish. He was a grandson of Robert Gilliam and Lucy Skelton his wife, daughter of James Skelton, of Essex County. His father's will, dated Nov. 13, 1813, was proved Nov. 7, 1814, and names five sons, John, James, who shall "hereafter *stile* himself James Skelton Gilliam," Theophilus Feild, Robert and Marius Gilliam, and four daughters, Ann, Mary, Lucy and Elizabeth. It has been suggested that he was a son of the eldest of the sons—Dr. John Gilliam who married Jane Shore—but the date of the death of this Dr. James Skelton Gilliam, who was lost in the U. S. steamer Levant in 1861, appears to show that this could not well be the case. (For Gilliam pedigree, see Slaughter, *A History of Bristol Parish, Va.*, and Brock in *Richmond Standard*, III, 33.) The following notes from this Journal (for what appears can hardly be called an abstract) may not be without some interest. Most of the personal references are included and much of the descriptive matter is omitted. When quotations are employed the narrative is followed literally.

New York, Tuesday, July 2nd, 1816.

The Journal starts with describing the trip from Philadelphia to New York. Unable to obtain sleeping accommodations on the steamboat down the Delaware river. Near Bristol was a most superb edifice and situation said to be in the possession of a widow lady named Manegault. "The ex-king Joseph Bonaparte, I was informed, had offered her a good sum of money for it."

Landed at Bristol, the great place of resort for the fashionable of Philadelphia. Handsome little place, and most of the foreign ministers have summer residences in it. "After breakfasting very rapidly upon most intolerable fare, we all took seats in the Stage. The roads were turnpiked and in most excellent order, and we travelled at the rate of seven miles an hour. The farms on the road appeared to be remarkably well cultivated. Virginia is greatly behind the Northern States in respect of farming."

"About 12 o'clock we reached Princeton." A Mr. Stockton, celebrated for his legal ability and political prejudices, who was one of the company, pointed out the battle ground "where the heroic but unfortunate General Mercer died." Meets at Princeton a former schoolmate, William Rose, son of Alex. Rose of Petersburg. Walked with him to the College, which "has a venerable appearance, is built of rock entirely, which detracts somewhat from its beauty, and is not equal in any respect to William and Mary College in Va."

Continued to travel very rapidly, but the journey became very irksome because of uneven roads. At ten o'clock reached New Brunswick. "Here we had wretched fare for our dinner. I have never yet met with any table to equal those in Virginia. In fact, I never knew the value of that old State till I began to travel.

Everything in that State, I think, is better contrived and conducted than in any State I have visited since I left it, except farming, but this may be prejudice."

Passed the Raritan on a very common bridge; passed Elizabeth City, "a decent looking place." At the Point two miles further took the steamboat Seahorse for New York. "It (New York) had a most beautiful effect; the numerous and lofty towers and steeples, its beautiful trees, its many fortifications, etc." Landed at the Battery, and went up Broadway. The City Hall at Chatham St. and Broadway "incomparably the most superb and costly in America."

Spends the first night at the Tavern opposite the City Hall, and next day was astonished to find that for one's lodging and breakfast for himself and servant, and one bottle of porter, he had to pay $5.50.

Takes lodging at Mrs. Keesee's on Broadway. Virginia notes 7 per cent below par and hard to negotiate at that!

New York, Wednesday, July 3rd, 1816.

Has a disagreeable time for want of companionship; has many letters of introduction but hates to deliver them. A Broker sells his Virginia notes for 7½ per cent discount. Went to see the play called "Accusation or the Family of D'Anglude." The after-

piece was "plot and counterplot" and "never in my life was I more amused and tickled."

New York, Thursday, July 4, 1816.

This great day was celebrated by bell-ringing and a military procession. About 7 o'clock repaired to the theater. The play was "The Battle of New Orleans," written in New York City for the occasion. Mr. Robertson appeared in the character of Gen. Jackson. He is a man of great theatrical powers. The afterpiece was "Obi, or three-fingered Jack." Returned about twelve. At night grand display of fireworks.

New York, July 5, 1816, Friday.

Took a tour of the city in a hack. Spent the rest of the day in reading some light work, and was greatly entertained with a biography of the famous Paul Jones.

New York, July 6th, 1816, Saturday.

Busy making preparations for Albany. Visited the fort at the the Battery. Gen. Wingfield Scott came out to see him. "He is a native of Dinwiddie County and was for a long time an inhabitant of Petersburg. He treated me most politely. His manners are agreeable, notwithstanding the tincture of affectation. Hears from home. Has trouble with his eyes. Takes the steamboat for Albany at Five o'clock.

Albany, July 7, Sunday, 1816.

This evening about 5 o'clock we arrived here in the steamboat *Richmond,* Capt. Bartholomew. Disagreeable trip. About 70 passengers—"some haughty, most distant, and all strangers." Had to sleep on a settee, and fifty perhaps had to sleep on deck. Passed the Highlands at night to his regret. Now and then some very pretty private dwellings. "Chancellor Livingston and his nephew ———— Livingston have very beautiful situations, as well as houses. The Chan., however I believe is dead." Tired out when he reaches Albany. Some 200 persons at the wharf. Went to Barod's Tavern, and being somewhat sick went off to find an

Apothecary to obtain some medicine. Disgusted to find every shop closed on account of "religious bigotry and fanaticism." Pretty good supper, and after it visited the State House. Found it a most ordinary building. Tavern at which he stays so crowded that he has to put up with a room that has no windows.

Saratoga, July 8, 1816.

Arrived here this evening about half past six o'clock, after a disagreeable ride from Albany, "chiefly on account of an hard-going hack, rough roads, indifferent horses and uninteresting country. The distance is about 38 miles." The company was agreeable enough, notwithstanding its being composed of an unhealthy old man from New Jersey, a religious bigot from Bristol in Rhode Island, an inhabitant from Albany, my servant and the driver. We stopped about every seven miles to rest our horses and to allow the Albany man and the old fellow from New Jersey to get a drink of gin. About ¼ after twelve arrived at the river Mohawk, where a bridge is thrown across, a toll-gate kept and a tavern attached.

Here the hack driver insisted on stopping to bate his horses as he expressed it and the two passengers, from Rhode Island and Albany—determined on having dinner; assented to, but unwillingly. "We left this tavern about 2 o'clock, and our dinner would have disgraced the poorest house in the poorest county of Virginia." We paid 50 cents for it. About 4 o'clock reached Ballstown and reached Saratoga at ½ 6 o'clock. I got out at Lewis' Tavern, sufficiently antiguous to the famous Congress Spring. My companions went to the upper village to private lodgings. In a few minutes after arriving here, I went to the Congress Springs and drank four or five tumblers of the water. It is stronger than Ballstown of course, not so agreeable to the taste.

Saratoga, Tuesday, 9th of July, 1816.

I went early this morning and drank the waters of Congress Spring. Four or five glasses appear to be the general quantity of a morning. Our breakfasts here are good enough. Unhealthy and decrepid looking people, but begin to be sociable enough. Men-

tions an old gentleman, who pleases him very much, and has a fine looking daughter with him. He has travelled a great deal in S. and N. America and Great Britain and appears to have had a most excellent education. An intelligent Quaker farmer from New Jersey. No persons of my own age. Duelling a frequent topic of conversation.

Saratoga, Wednesday, 9th, 1816, July.

Same routine of drinking the water. After dinner, the old gentleman mentioned above requested me and 3 others—strangers —to see with him a piece of timber 100 feet long, ready to be sent to New York. During the visit Dr. B. of Boston or near it, told a story from Sterne, the celebrated author of Tristam Shandy. Saratoga is composed of two villages.

Saratoga, Thursday, 10th, 1816, July.

Perceives no benefit from the waters which he uses freely, morning and evening. Went with his fellow traveller from Albany, Mr. Gladden from Bristol in the State of Rhode Island, to hear a preacher in the long room attached to the Congress Hall Tavern. "A very usual topic of conversation between the gentlemen in the forenoon is the comparative value and importance of the different States in the Union. Most unfortunately I am the only person from the Southern States. Of course, I have a host of Yankees to contend with. Mr. Gladden, of Rhode Island, (who, altho' he lives in the Upper Village, very frequently comes to our Tavern) and Mr. Newbold, the Quaker gentleman from New Jersey, generally take the lead. Mr. Newbold is a vastly agreeable, sensible gentleman, and appears to have acquired the good will and esteem of everybody, the other person has strong prejudices."

Invited to hear a preacher of great ability, but "I was so perfectly tired and disgusted by the last night's sermon that I positively determined not to hear another sermon in the Northern States." Not impressed with Northern pulpit ability.

Mr. Newbold is a Quaker of about 53 years of age, tho' young looking for one of that age. In truth, he is a favorite with everybody. He is a truly worthy man. "I have found out that the

gentleman who requested me to walk with him to see the long piece of timber is named S. Borden. He is decidedly the best informed man among us."

Saratoga, July, Friday 11th, 1816.

Discussion over the use of the word "preventative." Some contended there was no such word, and Mr. G. argued that "preventative" was the substantive of the adjective "preventive."

Judge Bacon, of Massachusetts, who was for many years Member of Congress and Comptroller of the Treasury, declared that "prevention" was the substantive. A resort to the dictionaries failed to record "preventative," but Mr. G. argued that, as Dr. Johnson, in the preface to his dictionary, declares that the termination "ative" and "tion" are often used indifferently, the omission did not signify."

Saratoga, July 20th, Saturday, 1816.

Time flies off so rapidly that I am hardly conscious of its existence. On Sunday went to hear a stupid fellow preach, and was never more disgusted in my life. Last evening Mr. Ebenezer Stott from Petersburg arrived here with his wife.

[The Century Dictionary shows that there is such a word as "preventative," but that its use is "irregular and improper."—Editor.]

A ball at Congress Hall Tavern. "Two sett-dances and one cotillion, in all of which Miss Borland was my partner." '

Saratoga, July 28th, Friday, 1816.

Time runs off as rapidly as possible. Balls are frequent. Went with a Miss Morriss from Halifax to one. "She is about 30 years of age, very large and homely, tho' quite jovial and conversible. As soon as she came into our house, I made myself acquainted with her, anticipating from her quizzical appearance a good deal of fun. When I went over to the ball room I did not know her name, far less her standing in society, and knowing that she and her sister came up to the tavern together, without the protection of a gentleman, or even a servant, I was surprised to learn

that she was the sister of Judge Morriss of Halifax, a man of great learning and respectability. I found also that she was acquainted with the first company from Boston and New York; my politeness to her appeared to incite her partiality for me, and she introduced me to all her acquaintances and friends. It was a great service in this respect."

"Mr. Newbold and myself very frequently take a short ride on horseback. A most pleasant companion for a Quaker—more so than I had ever calculated on meeting with." 350 persons at the Springs. They are going and coming every day. I have become tolerably intimate with a Mr. Hartford from Savannah and Dr. Chisholm from South Carolina. "I believe that more than one-half the company at this place is composed of people from the South. I have witnessed a much less display of pomp and wealth than I had calculated on seeing. The season can hardly be said to have commenced."

Saratoga, July 27th, 1816, Saturday.

Mr. and Mrs. Stott left us. Pleasant excursion, Tuesday before, with Mr. Stott, Mr. Newbold and Mr. Gladden to Ten Springs or Taylor's Springs, about 4 miles from the village. Particular in searching out a number of plants, flowers, etc., for Mrs. Stott, whose remarkable fondness for Botany I had often heard in Petersburg. She was greatly delighted upon my return with the present. Before the Saratoga visit knew Mr. and Mrs. Stott by reputation only.

Meets a Mr. William Hall, Jr., of Vermont. Much pleased with him, rode with him six miles along the road to Lake George. "This evening I learnt to my astonished that the gentleman who took me out in his chair last evening, Mr. William Hall, Jr., was a member of the Hartford Convention. I have laughed heartily to myself at the circumstance. The prejudices of the Southern people have been strong against those gentleman, that I should be anathematized for even speaking to one. I was vastly pleased, however, with the gentleman. He invited me most pressingly to his situation on Connecticut river, and introduced me to another

one of the Hartford Convention, a Mr. ———— from Massachusetts, and a Mr. Dwight who was Secretary to the meeting."

July 29th, 1816, Saratoga.

"This morning about 9 o'clock I set off in a two horse hack in conjunction with Mr. Wm. Henry Hartford from Savannah, Ga., a most intimate companion of mine, and a Mr. Watts and Col. Johnson from the same place on an excursion to Lage George." Four other carriages took Miss Livingston, Miss Wilkins, Miss Bogert, Miss Cain, Mr. Nutter, Mr. Gillies, Mr. Kane, etc. Reached Glen Falls at half past 12, a most romantic and picturesque place. Indulged himself in his favorite amusement of drawing. Visited 2 caves. "All of the gentlemen and even the ladies were very anxious to get a sight of a celebrated lady from Waterford about 28 or 30 miles below Saratoga Springs, known generally by the name of the 'Waterford beauty.' She came along with the party, but her face was veiled." Mr. Gilliam had a good deal of conversation with her at dinner and was disappointed in her looks. "She had a good form and regular features, but nothing that is either interesting or beautiful in her face." He found her illiterate and uneducated. Country sterile and unproductive. Reached Lake George and put up at a neat place called Bellevue, kept by Mr. Carter.

Bellevue House, Lake George, July 30, Tuesday.

All the company take row boats and visit the Lake. Limpid water. Diamond Island. One party fished from the sides of the Island, and the other, of which Mr. Gilliam was one, went to search for diamonds so called, on the southeastern side. "The ladies set themselves to work with sticks, etc., rooting the earth in every direction with as much earnestness and avidity as if they were about to find some of Golconda's precious stones. Throughout the whole of this amusement, I was obliged to act the part of your very humble servant to all the ladies, more especially to the interesting Miss Catherine Livingston, which to be sure I did with little reluctance. Every moment I was engaged in washing in the lake the dirty stones which they found, all of which I was obliged to show again

to the ladies after being washed. Whenever one would observe "Oh, how brilliant, beautiful, elegant, splendid, or irradiating" which last was very common, I was to put it away in a small piece of paper which was given me for the purpose. The ardent anxiety which the ladies displayed to find these precious stones was really astonishing. The fair Miss L——— sat without veil or umbrella in the warm sun, perfectly careless of the effects upon her soft and tender skin, her gloves thrown here and there covered with the particles of earth her assiduous industry had thrown up and her shawl buried positively beneath a heap of rocks. Whenever perhaps she would find a chrystal of tolerable lustre, she would exclaim, 'Oh Mr. G. see how beautiful. Do me the favor to wash it in the lake.' Thus we spent our time for near an hour." Joined the other party and fished. Miss Livingston, for the first time in her life, caught a fish a few minutes after dipping the line.

Returned to Belluvue, and at 3 o'clock dined upon fresh water bass, finishing with a bottle of excellent Madeira.

Saratoga, Wednesday 31st, 1816.

Return trip described. Visits Saratoga village, where Burgoyne laid down his arms. Made sketches.

Saratoga, August 1st, Thursday, 1816.

"In going to the spring this morning, which I always do as soon as the sun rises, I was hailed by George Hay, of Virginia."

August 2nd, 1816, Friday.

This morning George Hay introduced me to Col. Lindsey, of Virginia. He promises to be an agreeable companion. He is certainly a most intelligent man.

Saturday, August 3rd, 1816.

This morning I became acquainted with Mr. Moses Myers and his family, from Norfolk. They are very pleasant people." "I spend my time quite agreeably in the company of the ladies at Congress Hall." Miss Livingston is the belle of the day. She is really very interesting. I went with her and Miss Wilkins to Judge Walton's this evening.

Friday, August 4th, 1816.

Begins to tire of Saratoga. Been here 4 weeks, and if possible worse off in health than when he came.

Monday, August 5, 1816.

"This morning immediately after breakfast, myself, Mr. Myers and Mr. Legaré from Charleston, South Carolina, set off for Ballstown in a most excellent hack. Mr. Myers is a man of great experience and observation, Col. Lindsey of great acuteness, genius, convivialty and humour, and Mr. Legaré of the most extensive acquirements and elegant literature I have ever seen of his age." After arriving there it was no small gratification to find "my old friends Mr. and Mrs. Stott." Spent the time till dinner in conversation with new acquaintances, and strolling up and down the passage and long room of the Sans Souci. Dinner was the best since he left Virginia, but "the great want of servants, and my having neglected to carry mine over with me prevented me from enjoying it as I otherwise might have done." After dinner I went into the long room conducted by Mrs. Stott, who most politely introduced me to most of the ladies present. I met and became acquainted with Mr. William Wickham of Richmond, Virginia, and Mr. Leroy of New York, two very pleasant intelligent men.

Saratoga, August 6th, Tuesday, 1816.

Immediately after dinner I strolled up and down the long room at the "Congress Hall" for nearly an hour with Miss Livingston and Miss Wilkins, and about five o'clock drove Col. Lindsay to Saratoga Lake in a double chaise. The Col. and myself are constant companions. He is a man of most enlarged views and excellent heart. He is a favorite with most of the people at the Springs. After dinner I walked over to Congress Hall again and strolled about with Miss Livingston and Miss Wilkins. They are the great belles at this place. They are both very handsome, very agreeable and dance most gracefully."

Saratoga, Wednesday, August 7, 1816.

Visit to Ballstown. Mr. Gilliam and Dr. Chisholm from South Carolina rode horses. Mr. Smith from Phila. and Mr. Dan Living-

ston took a chair. The ladies sat off about 10 o'clock in a ———? Mrs. Livingston, Miss Livingston and Miss Wilkins, together with their relations, Dr. Hosack and Mr. Ludlow from New York.

Most of the people of the two houses assembled in the porches to see the departure. Mr. Gilliam was mounted on a spirited animal. "He foamed, reared and pitched about as if proud of the honor of attending the fair ladies. His appearance excited general applause." When at Ballstown previously Mr. G. had extolled the beauty of Miss Livingston and Miss Wilkins, and all eyes were fixed on them at the door of the Sans Souci. "We entered the parlour room. In a short time most of the ladies played their cards very handsomely. The compliments which I had previously paid to their beauty, and of which I had candidly and unceremoniously informed them, made them particularly solicitous to realize the expectations I had excited. They had dressed most superbly, decorated their heads with most beautiful curls, and in fact lost no pains in displaying themselves to the best possible advantage. Everything appeared to turn out agreeably to their wishes. The ladies at Ballstown paid them great respect and the gentlemen discovered a great deal of admiration. In about an hour the two young ladies, with Miss Haywood from South Carolina and some others, walked down the street on a shopping trip as they termed it. They carried off all the young beaux that came down with them from Saratoga and some others from the Sans Souci." On the return to Saratoga Miss Livingston enlivened the time by the sweet music of her voice. She sang two or three songs most divinely. Mr. G. pronounces the whole trip a most delightful one, and the day closed at Saratoga with a crowded assemblage and a great ball.

Thursday, August 8th, 1816.

Very sore after yesterday's ride. In the evening went with Col. Lindsay in a chaise and a Mr. Douglas from Baltimore on horseback to hunt for a sulphur spring. Found it a great curiosity. Returned & after tea strolled with the ladies in the long room at Congress Hall.

Friday, August 9th, 1816.

Devoted his time most exclusively to the ladies as we are shortly

to lose the company of Miss Livingston and Miss Wilkins, "who have been the life and soul of the amusements."

Saturday August 10, 1816.

This evening took my last evening walk with Miss Livingston and Miss Wilkins. The thoughts of their departure depresses me exceedingly. Miss Livingston gave me a most pressing invitation to call to see her at New York, as I pass thro' which I promised to do. She told me she was to be seen at her grandfather's at Lame Lane about six miles from New York until the 1st of September, and after that time at her mother's on White Street, No. 54. Her grandfather's name is Mr. ———— Nutter.

Sunday, August 11, 1816, Saratoga.

This morning went to Congress Hall to see Miss Livingston depart. Mrs. Livingston gave me a most pressing invitation to see them in New York, and Mr. Nutter most politely insisted on a positive promise to visit him at Lame Lane, which I gave him with pleasure. Much depressed, but cheered up at meeting Mr. Travis Harwood from Petersburg and Mr. Eaton Pugh from North Carolina.

Monday, August 12th, 1816.

Visited Ballstown with Col. Lindsay. Meets Mr. Legaré of South Carolina, who intends for New York tomorrow. He is waiting on a young lady, daughter to the wife of Rev. Dr. Flinn by a former husband. He has promised to call on me in Virginia. Crowded assembly that evening at Congress Hall, Saratoga. "Miss Phillips has stepped into the shoes of Miss Livingston and is now the belle of the day. She is very accomplished and bery beautiful."

Thursday, August 15th, 1816, Saratoga.

Went with Messrs. Pugh and Harwood, Judge Prevost and his daughter, Miss Yates and other young ladies to visit Flat Rock Spring. Visits later a place called "Barites", 2 miles below, famous for its trout.

Saturday, Sunday, August 17 & 18, Saratoga.

About 11 o'clock today Mr. and Mrs. Stott, Mr. and Mrs. Myers returned from Montreal, delighted with their trip. Mr. Newbold

and Mr. Hartford left us, but Col. Lindsay still remains. He is a host of himself. Strolled about with Miss Phillips, Miss Gouverneur and Miss Knox in the long room of Congress Hall. Was glad to meet with the Rev. Andrew Syme of Petersburg.

Monday, 19th Aug. 1816, Saratoga.

Set out this morning for a Mrs. Riley's Tavern on Saratoga Lake, in company with Col. Lindsay, Mr. Eaton Pugh, Mr. Thomas Neilson, Mr. Bernard from the Rappahannock, Mr. Williamson from North and Mr. Cole from Williamsburg, Va.

August 23rd, Friday, Ballstown Spa, 1816.

Leaves Saratoga and takes up his abode at Sans Souci at Ballstown. Before leaving, he made a sketch of Saratoga, showing the principal streets, Congress Hall, Lewis Tavern (where Mr. G. staid). Mr. Roscow Cole, from Williamsburg, now his principal acquaintance, excepting Mr. and Mrs. Stott. They are still remarkably polite; to Mrs. Stott particular politeness I owe the general acquaintance I have made with the ladies at this place. There are none of them, however, remarkable for wealth, beauty or mind. Cold weather the last two or three days, and the company reduced to about 70. The tables are very superior to everything of the kind at Saratoga. The keeper of the tavern is a Frenchman (Berger) by name.

New York, Tuesday, 3rd September, 1816.

Describes the trip to New York. Left Ballstown on Sunday morning in a stage drawn by a most stupid inexperienced driver in company with Mr. Eaton Pugh and Mr. Williamson from North Carolina, Mr. Travis Harwood and Roscow Cole from Virginia, a Captain Waterman and a Mr. Henderson—the first from New Hampshire and the last from Maryland. We went to the tavern kept by a Mr. Demarest, where there was a great crowd from Saratoga. Persons mentioned, "George Hay and his wife, Col. Mercer, Mr. Knox, Mr. Gouverneur etc. the two Miss Livingstons, daughters of J. R. Livingston, I believe, and the two Miss Gouverneurs." —Visited Mohawk Falls, continued on a fine road along the Hudson, passed a United States arsenal on the right, interesting views of Lansingburgh and Troy, situated on the eastern banks of the river.

In entering the suburbs of Albany, passed on the left the elegant, the Gothic or rather Dutch built mansion house of Gen. Van Rannselaer, a gentleman possessed of high command in the army in the last war, and of princely estates.

Put up in Albany at Baird's Tavern, where there was a great crowd caused by the influx from the Springs and the trial of Gen. Edmund P. Gaines, on charges preferred by Col. Trimble of the United States Army. Engaged berth on the steamer *Car of Neptune,* which sailed next morning. Albany at a distance looked "quite enchanting," the Catskills rose in imposing majesty. Regrets his inability to visit Mr. Borland, who resides near a place called Kinderhook, about six miles from Hudson. Among the passengers were Gen. Jacob Brown, General Miller—with their aids, Col. Croghan and Col. Trimble. In the course of the evening, myself, Mr. Pugh, Mr. Williamson and Mr. Harwood played a game or two at whist—in fact, a good many others amused themselves with cards particularly some of the young officers, who played mostly at Brag, and I believe I saw one lose $1000 in the course of 30 minutes. Early next morning the Captain winded his horn that the steamer had reached a place of disembarkation. Mr. G. rose and found himself at Poughkeepsie, romantically situated upon the eastern bank of the Hudson. Lower down was the equally romantic and beautiful situation of Newburgh. The Highlands began now to appear. Delay in Albany has given an opportunity of seeing this range of bold and beautiful mountains. "Out of three steamboats which ply each of them two or three times a week from New York, I wondered that some of them did not so arrange their time of starting as to pass thro' this interesting section of the route in the day." Deterred from sketching by the crowd. The Captain pointed out the rough outline of the human face on the mountains. This appearance goes by the name of St. Anthony's nose. About the central point of the Highlands is situated the celebrated fortification called West Point, distant from New York seventy miles. Some miles lower down is Stony Point.

Between one and two o'clock the busy and beautiful city began to make its appearance. On the Jersey shore the spot was passed

where Hamilton fell in a duel with Col. Burr, marked by a monument erected to Hamilton.

At 3 o'clock, reached Mechanics Hall in New York situated at the juncture of Park Place with Broadway. Mr. Pugh, Mr. Williamson and Mr. Harwood contrived to get a room in the tavern with 3 beds in it. As he did not wish to bed with strangers, Mr. G. obtained board for a week at Mrs. Powell's No. 16 Park Place, a very good house, at which Gen. Gaines and his aids were staying, (A Capt. R. R. Ruffin of North Carolina and Lieut. ————), a gentleman and lady from South Carolina, two private gentlemen, and Mrs. Powell and her daughter.

New York, Wednesday, 4th Sept. 1816.

"Immediately after breakfast this morning I joined Mr. Pugh and went to the City Hall to see the mode of procedure adopted by the Court Martial assembled for the trial of Gen. Gaines. The Court sits in one of the beautiful rooms of that spacious, costly and tasteful building. Upon entering we were gratified with the order and regularity observed by every member. We were also gratified in seeing almost every officer of the last army of any distinction assembled in the room, either as members of the court or as witnesses. After sitting sometime we walked to one of the rooms on the second floor, in which one of the high courts of the state were sitting, where were assembled all of the great lawyers of the city. I was mostly struck with the appearance of Thomas Addis Emmett, who as well as I could judge of him from his sitting position, was low of stature, inclined to corpulency, with a remarkably quick and vivacious eye, tho' exceedingly nearsighted, as could well be perceived from his manner of reading a book, even with the assistance of an opera glass. His eyeball appeared to be peculiarly prominent, his skin very clear, his ears most uncouthly large, and the general expression of his face that of good nature and deep thought."

"Judge B. Livingston, a gentleman of the most exalted reputation was sitting on the Bench. Whilst I remained in the court, there were only a few general remarks made from the bar."

In the evening went to see a play called Pizarro, a German

production, and well calculated to do honor to any country. Mr. G. was never more delighted with the "scenic production and histrionic talent" exhibited. "Mrs. Barnes in the interesting character of Cora discovered at once the extent of her personal charms and beauty, and the variety and excellencies of her talent for impressive acting. We were much amused by Mr. Hilson in the afterpiece of 'No song, no supper.'"

Friday, 6th of Sept. 1816.

"Immediately after breakfast, myself, Mr. Pugh and Williamson set out in a good hack, with a good driver and horses for Newark in New Jersey. Crossed the Hudson in a large boat propelled by steam which is constantly plying between the city and the opposite shore called "Paulers Hook." We had to pay for the carriage horse and ourselves 13s 6 which we thought most immoderately high." From the Jersey shore had a most enchanting prospect of the City, with its immense shipping stretched along the wharves. After a mile ride, the road, which is turnpiked, and a most excellent one, passes through a meadow of 30,000 acres. Immense ditches recently cut to drain it at high tide. Crossed the bridge over the Passaic and entered Newark, one of the neatest and most beautiful towns of its size we had ever seen. I followed my companions to the coachman's shops in the place. The carriages made here are thought to be better than those made in New York or Philadelphia. Mr. Pugh soon came across one to please, for which he paid, I think, 750 dollars. The streets in the town are remarkably wide, the houses handsomely built, and there are public vacant spots of ground for purposes of promenading, handsomely ornamented with trees. Having satisfied ourselves about everything we desired, we set out on our return and reached New York City by dinner time. At our boarding house, I spend my time quite agreeably. Gen. Gaines is quite familiar and conversible.

(The Journal is accompanied with colored crayon sketches of the bridge with a single arch thrown across the Schuylkill river at Phila. of Niagara Falls, of Lake George, of the spot where Gen. Burgoyne capitulated, etc.; pencil sketch of "the Waterford beauty.")

BRITISH HUMANITY.

The British were accused during the American Revolution of indulging in many outrages—such as looting, wanton destruction of property, burning private houses, &c. The accusation was doubtless true in many ways. But the British claimed that the Americans greatly exaggerated the facts, and the destruction of houses was never done by authority except when military necessity demanded it. The British burned Aesopus in New York, and Fairfield, Norwalk and Greenfield in Connecticut, but they claimed that the Americans fired at them from the houses in violation of all the rules of international law.

The British case is by no means as black as has been represented, and the greatest stain on the British character is found in the employment of Indians, whom they tried to control and could not. After all, the most grievous outrages were not performed by the British soldiers but by the native American loyalists, who were close kin to the patriots but disapproved of the rupture of the great British Union. To these people who occupied the attitude of the Northern people a hundred years later, the Union was a sacred thing, and the patriotic spirit which sprang from this conception was intensified by the way in which they were treated by their fellow provincials.

Suppose the Southerners in 1861 had treated Northern people like the Tories were treated—tarred and feathered them, looted their houses, and beaten their persons how far, indeed, in retaliation would they not have gone? Forgetful of the action of their ancestors in destroying the great Union which existed before 1776, the Northerners waged a much greater war for preserving the Union of 1861, and were full of wrath at rebels and traitors—terms quite as applicable to their grandfathers of 1776 as to the Southerners in 1861. But the Tories had a better case than the Northerners, for to them were the added facts of insult and outrage. No wonder they struck back when the opportunity presented.

The Americans complained, too, that the British commanders sometimes did not keep faith, but were the Americans entirely faultless? Nothing attributed to the British occurs to me quite as bad as the violation by the Americans of the terms of Burgoyne's surrender. According to these terms his troops were to be permitted to return at once to England, but on very insufficient grounds the troops were retained in this country, subject to many privations, till the end of the war.

After the outrages performed by Federal generals in the "War between the States," American writers should be chary of very severe strictures. Indeed, where could we find in the whole history of the Revolution any order comparable to that of General Grant to make the beautiful Valley of Virginia "a barren waste," or any march of a British general quite as destructive as that of Sherman in Georgia. Throughout the Confederate War there were repeated cases of the burning of private houses, villages and even cities of large size; and looting by the Federal soldiers was general. Thus, to the writer's own knowledge, although there was no specific order to destroy Tidewater Virginia, as there was to destroy the Valley, the general devastation was even greater, and not only was all the stock and utensils removed, but everything in addition useful to man and beast. Indeed, it would be impossible to find any sentiments proceeding from a British officer quite as wicked as those which proceeded from General Sherman, when he advocated "the utter destruction of the roads, houses and people of Georgia", or those that proceeded from General Sheridan when he declared that "the true policy in war was to leave to the conquered 'nothing but their eyes to weep with.' For words anything like them in atrociousness one must resort to the Germans in the late "World's War."

Many instances of humanity on the part of the much reviled British, during the Revolution, may be cited. And here is one from the narrative of Colliers and Matthews' Expedition in 1779 against Virginia on the part of Commodore Collier, which is worthy of imitation in all wars.

The British fleet of invasion was composed in part of a large

number of light armed vessels, which were useful in running up the shallow creeks and rivers, and destroying the sloops and schooners engaged in transporting tobacco, rightly regarded by the British at the time as contraband. These vessels had positive orders from Commodore Collier "to do no wanton act of cruelty, nor burn houses, nor in any shape molest innocent people." Nevertheless, Sir George found it extremely difficult to restrain these scouting parties within any decent bounds. Several houses were burned, and among them as reported to him were the houses of four poor families living near Cheriton, Northampton Co. When the news of this outrage was brought to Collier, he was very indignant, and to make amends sent a sloop laden with salt, a rare and coveted article in those days, for the use of the unhappy sufferers. The sloop bore also the following letter:

"Sir George Collier, having with great concern just learned that a New York privateer has acted so contrary to humanity as to burn four houses belonging to poor people near Cheriton, Sir George will cause his disapprobation and abhorrence of such practices to be signified to those who have been guilty of it, and, commiserating the case of the unhappy sufferers, has directed a small vessel laden with salt, to be sent to them as some remuneration for their losses.

Rainbow in Portsmouth harbor, 17th May, 1779."

The sloop and flag of truce returned with the following letter from Isaac Avery, the County Lieutenant of Northampton:

"Sir,—Your letter, addressed to the people who had their houses lately burnt by a privateer near Cheriton, has fallen into my hands, together with the sloop and cargo mentioned in the same. Of the four houses which you suppose to be burnt, only one was quite consumed, the others were happily extinguished, one or two of them being first plundered. I will cause an exact and faithful estimate to be made of the loss sustained, and your bounty impartially divided according to their several losses; the sum may not perhaps be adequate to their whole loss; but however, give me leave to say that I cannot express my feelings at this signal instance of humanity, especially as it is the first of the kind that

has fallen under my observation, though numberless have been the sufferings of the people on this shore of the same nature.

I am, Sir, Your most obedient Servant,

Isaac Avery, County Lieutenant,
Northampton."

Along with this letter came eight lambs and the following note from several gentlemen of Northampton Co.

"Several gentlemen very respectfully present their compliments to Sir George Collier and beg leave to present him, by the bearer hereof, with eight lambs. We are, with all due respect,

Your most obedient humble servants,

George Savage
Henry Grey
Daniel Robert Hoal
T. L. Fulwell."

Doubtless the Commodore would have enjoyed the meat for his own table, but, consistent with his ideas of humanity, he turned the present over to the "sick men" of his command.

THE FINDING OF FAUQUIER.

By H. C. GROOME, Airlie, near Warrenton, Va.

The expedition of the London Company under Captain Christopher Newport which landed on the banks of the James River in May, 1607, and established the first English settlement in America, included among other adventurous spirits, a remarkable character who played a very conspicuous part in the fortunes of the young colony and, in his dealings with the Indians, exhibited a sagacity and resourcefulness that proved of invaluable service to his companions. This person was Captain John Smith, a soldier of fortune who had fought in the Netherlands against Spain, had commanded a troop of horse in the armies of Rudolph II of Styria against the Turks, and in the service of Transylvania during the siege of Regal had successively slain three Turkish champions in single combat. Later taken prisoner at the battle of Rothenthurm he was sold into slavery and, although for a while befriended by a lady of Constantinople, he was subsequently sent to Asia Minor, where, after enduring many hardships, he killed the prince in whose service he was held, escaped into Russia and finally made his way back to England in time to join Newport's expedition.*

It is to be supposed that such adventures had developed in Smith a quickness of wit in emergencies and given him a certain facility in dealing with strange enemies that stood him in good stead in his encounters with the North American savages. Certain it is, however, that, to his intelligence and adroitness as well as to the boldness with which he pursued his explorations, the colonists owed their first general knowledge of the geography of their territory, and we are indebted for much that is known of the location of the aboriginal tribes.

His exploits in Virginia began soon after the landing at Jamestown, when with a party headed by Newport he sailed up the James River as far as the Algonquian village called Powhatan.

*John Fiske, *Old Virginia and Her Neighbors.*

He next attempted the exploration of the Chickahominy but fell into the hands of Opekankano and was saved from death by the intercession of Pocahontas, a daughter of the chief Powhatan. Early in the summer of 1608 he undertook another exploration, in Chesapeake Bay this time, and in August of the same year with twelve men and an Indian guide he ascended the Rappahannock.

On this expedition having progressed as far as it was possible by boat, Smith's party landed, presumably near the present site of Fredericksburg, and scattered to examine the country. In this position they were attacked by a party of Indians, who, however, were driven off after a short skirmish and one of their number who had been wounded, fell into the hands of Smith's men. From this savage they learned through their interpreter, a Powhatan named Mosco, that the band of which they had been attached belonged to a large hunting party of Manahoacs in which several tribes were represented, and that this party was at the time encamped at Mahaskahod, a hunting camp nearby, on the border line between the Manahoacs and their enemies, the Powhatans. Smith treated his prisoner kindly, and through him soon satisfied the Manahoacs of his friendly intentions and subsequently obtained a good deal of information concerning the tribes and territory of what he then learned was a confederacy of Manahoac tribes, of the location of their tribes and of who their enemies were and of what tribes were friendly to them.

The data thus secured was used in his Map of Virginia (1612), and to this map and his writings, we owe what information we have of the aborigines of this part of the state. Smith places a cross on his map at the point on the south bank of the Rappahannock where he landed in 1608, and in his "signification" of such marks states that "To the crosses hath bin discovered—what beyond is by relation." He then maps the country northwest to the mountains distant about 10 leagues or 34½ miles from his landing place, and assigns the territory thus covered to the Manahoacs, comprehending under this name the several tribes forming the Manahoac Confederacy. He also locates a number of these tribes, placing the Hassinunga in the forks of the river, which are shown to occur comparatively close to the mountains and, therefore, may

be assumed to have been the junction of the Hazel River with the North Fork. This theory would assign the Hassinungas to the eastern border of what is now Culpeper County and would give the Tanxnitanias, whom Smith places east of the North Fork, to Fauquier. Smith in his "General Historie of Virginia, New England and the Summer Isles," mentions the Whonkentias, as another tribe of the Manahoac Confederacy living "upon the head of the river Tappahannock" and these people by some authorities have also been assigned to Fauquier.*

Our first knowledge of the territory now occupied by Fauquier County, therefore, comes as a result of Smith's discoveries in 1608, although neither he nor any member of his party actually set foot on its soil. The general accuracy of his statements, however, and the skill with which he pieced together the information he obtained from the natives, can be judged by the fact, in this case, that in drawing his map of the headwaters of the Rappahannock "by relation," he placed the forks of the river 6 leagues, or about 21 miles, above the falls, while the actual distance as the crow flies is about 28 miles, certainly a shrewd estimate.

After Smith's explorations there is no record of the upper Rappahannock region being visited by any white man until the year 1670, when John Lederer, a German traveller, undertook an expedition to the mountains. His party, consisting of himself, "Col. Catlett of Virginia," "nine English horse" and five Indians on foot, left the house of one Robert Talifer, situated on the south bank of the Rappahannock, August 20th, and that night reached the falls. The next day crossing the river above the falls they entered what is now Stafford County and following the north bank journeyed through the lower edge of Fauquier passing the North Fork into Culpeper at some such place as Field's Ford. Lederer travelled thence through Culpeper and Rappahannock Counties and reached the mountains on the 26th.† The territory included

*Handbook Am. Inds., Vol. II, 946.

†*The Discoveries of John Lederer*, in Three Several Marches from Virginia, to the West of Carolina, and other parts of the Continent. Begun in March, 1669, and ended in September, 1670. London, 1672; reprinted Rochester, N. Y., 1902.

in the present boundaries of Fauquier County, therefore, although mapped by Smith more than a half a century before, was first entered by white men on August 21st, 1670.

Lederer makes no mention of having encountered any Indians on this journey but thus describes the country through which he passed:

"We travelled thorow the Savanae amongst vast herds of red and fallow deer which stood gazing at us; and a little after, we came to the Promontories or spurs of the Apalataean-mountains.

These Savanae are low grounds at the foot of the Apalataeans, which all the winter, spring, and part of the summer, lie under snow or water, when the snow is dissolved, which falls down from the mountains commonly about the beginning of June; and then their verdure is wonderful pleasant to the eye, especially of such as having travelled through the shade of the vast forest, come out of a melancholy darkness of a sudden, into a clear and open skie. To heighten the beauty of these parts, the first springs of most of those great rivers which run into the Atlantick ocean, or Chesapeack bay, do here break out, and in various branches interlace the flowry meads, whose luxurious herbage invites numerous herds of red deer (for their unusual largeness improperly termed elks by ignorant people) to feed."

The Manahoacs, as well as their allies the Monacans, were, according to Mooney,* of Siouan stock. His theory is that the prehistoric home of the Siouan race was not on the prairies of the west, but among the western foothills of the Alleghany Mountains, and that these people were forced westward along the Ohio or eastward over the mountains, by the pressure of hostile tribes. Hall, holding the same opinion as to the cradle-land of the stock, assumes that they followed the buffalo westward, but Mooney points out in contravention of this theory that the buffalo did not disappear from the east until the end of the eighteenth century and at that time the great body of the Sioux had been established on the Mississippi and Missouri for several hundred years. Whatever the cause of the early separation may have been, however,

*James Mooney, *Siouan Tribes of the East*, p. 28.

tribes of this stock occupied that portion of Virginia between the rivers and the Blue Ridge in 1608. The Monacan Confederacy at that time was established on the headwaters of the James, while the Manahoacs lived on the upper reaches of the Rappahannock and the country northward to the Potomac. The Monacans and the Manahoacs were in alliance and constantly at war with the Powhatan, a confederacy occupying the country from the falls to the coast, and all of these tribes were in never-ending dread of the Nassawomek, the name by which the Iroquois beyond the mountains were known to the Powhatan and Siouan tribes of Virginia and, as Smith says, were regarded by them as their "most mortall enemies."

The tribes composing the Manahoac Confederacy in 1608 were eight as named by Smith, and several others. These, with the locations attributed to them by Jefferson (evidently on the basis of Smith's map), were:

Manahoac—Stafford and Spottsylvania
Tanxnitania—Fauquier
Shackaconia—Spottsylvania
Ontponea—Orange
Tegninateo—Culpeper
Stegaraki—Orange
Whonkentia—Fauquier
Hassinunga—Culpeper

Smith found the Manahoac (Algonquian: "They are very merry") to be "very barbarous, living for most part of wild beasts and fruit." Their country was heavily timbered and abounded in game, while the numerous streams afforded a variety of fish. It is doubtful whether they practised agriculture to any great extent, although on Lederer's testimony they grew corn and had done so for a great many years. In 1669 travelling from the falls of the James River southwestward, he states that the country between the falls of the rivers and the mountains was formerly owned by the "Tacci" or "Dogi," who were then extinct and their place occupied by the Managog (Manahoac), Monakin (Monacan) and other Siouan tribes, which he names. He also states that the ancient inhabitants of the region were far more rude than the recent

occupants and were taught by the latter how to plant corn and instructed by them in its use.*

Of the disappearance of the Indians from what is now Fauquier County we know little. That the Manahoacs were unable to maintain themselves against the attacks of their more powerful enemies seems very probably, but whether they succumbed to an Iroquois invasion prior to 1675, as Mooney believes, is somewhat doubtful. It is more likely that their bands or tribes, depleted by wars, gradually dispersed and were absorbed by friendly tribes with whom they took refuge. According to Mooney, however, at the beginning of the eighteenth century the Stegaraki of Orange County alone of all the Manahoac tribes remained, while we know that at that time the settlement of Fauquier by the white men began.

*Lederer described the Piedmont section of Virginia at this time "as a pleasant and fruitful country, with open spaces clear of timber and abounding in game." (James Mooney, *Siouan Tribes of the East*).

THE BATTLE OF POINT PLEASANT.

The people of Virginia, though an agricultural people, have been essentially a military people. The greatest American soldiers—Washington, Lee and Stonewall Jackson, who were also the finest types of American citizenship—were natives of Virginia. There were a host of other shining examples—Andrew Lewis, William Henry Harrison, Winfield Scott, Zachary Taylor, Joseph E. Johnston, George H. Thomas, J. E. B. Stuart, &c.

In nearly all recorded battles the Virginians acquitted themselves with distinction. The battle of Camden in the Revolution, in which the raw militia ran away before the British veterans, was an exception. Their conduct was nobly redeemed at Guildford Court House, where the militia of Virginia behaved with the coolness of veterans.

"Noble was the stand of the Virginia Militia; Stevens and Lawson, with their faithful brigades, contending for victory against the best officer in the British army (Lt. Col. Webster) at the head of two regiments distinguished for intrepidity and discipline."*

Among the continental troops the heroic Third Virginia Regiment, commanded first by Hugh Mercer, who fell covered with glory at Princeton, afterwards by George Weedon, and later by Thomas Marshall (father of the Chief Justice), was pre-eminent. At York Island, during the retreat through the Jerseys, at Trenton, at Princeton, and at Brandywine, the Third Virginia stood like a stonewall, checking the British advance.

Nothing need be said of the Virginia troops during the War between the States. The charge of Pickett's Division at Gettysburgh will always remain the most glorious military incident of the war.

Among the battles where the valor of the Virginians was conspicuously displayed was that of Point Pleasant, at the mouth of

*Henry Lee, *Memoirs of the War in the Southern Department.*

the Kanawha October 10, 1774. Here, commanded by Andrew Lewis, the Virginia Militia was opposed by the best fighting Indians on the continent—The Shawnees under their chief Cornstalk—and in the obstinate fighting that ensued the slaughter on each side was about equal. But the Indians were driven from the field and shortly afterwards sued for peace.

The battle afforded the only instance in which an equal number of the Shawnees was defeated by an equal number of whites, and by many the battle was thought to be the beginning of the Revolution. It was supposed that the Indians were influenced to hostilities by British agents, who thought by an Indian war to prevent the combination of the American colonies against taxation by Parliament.

That the Shawnees and their confederates, the Delawares, Miamis, Mingos, &c., were no contemptible enemy is shown by the facts of history.

It was chiefly the Shawnees that cut off the British army under General Braddock in 1755, when the general himself, and his second in command, Sir Peter Halklett, were both killed, and a mere remnant of the army escaped. It was the Shawnees, too, who defeated Major Grant and his Scotch Highlanders near Fort Duquesne, in 1758, where nearly all the troops were killed or taken prisoners. After the battle of Point Pleasant they defeated in 1782 the flower of the first bold and interpid settlers of Kentucky at the battle of the Blue Licks. There fell Col. John Todd and Col. Stephen Trigg. Afterwards they met the forces of the Federal army and twice defeated them—first in 1790, under General Josiah Harmar and then in 1791 under General Arthur St. Clair. They suffered a defeat in 1794 by the Federal army under General Anthony Wayne, but their power was not entirely destroyed till the battle of the Thames in 1813, when their great chief Tecumseh was killed.

In this final battle the commanding officer of the Federal army was a Virginian, Gen. William Henry Harrison, a worthy successor of General Andrew Lewis.

TOMBSTONE OF MRS. ELIZABETH HILL SKIPWITH.

There was recently removed to Bruton Parish Churchyard in Williamsburg, from the lot whereon stands the house of Dr. T. G. Peachey, honored by the stay of Gen. La Fayette in 1824, a marble slab of beautiful design, bearing the following inscription:

Sacred to the Memory
of Mrs. Elizabeth Hill Skipwith,
Eldest daughter of William Byrd, Esquire.
Born at Westover Nov 26, 1755,
Died at Williamsburg August 6, 1819.

This monument, as the last tribute of duty and filial affection, is erected by her surviving daughters E. C. I., M. C., and R. P. C.

The lady, whose name it was intended to perpetuate, married 1st James Parke Farley, of Antigua; 2d Rev. John Dunbar; and 3rd Col. Henry Skipwith; and died at Williamsburg Aug. 6, 1819. "The three surviving daughters" were probably all by the first marriage with Farley, and were Elizabeth Parke Farley, whose third husband was Gen. George Izard, Maria married Champe Carter, and Rebecca Parke married Major Richard Corbin, of Laneville. Col. Henry Skipwith, the third husband of Elizabeth Hill Byrd, was a son of Sir William Skipwith, of Middlesex Co., and Elizabeth Smith, his wife. (See TYLER'S QUARTERLY, I, p. 70.)

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LORD DUNMORE, "THE GREAT EMANCIPATOR."

[Copied from American Archives, Fourth Series, Vol. III, 1775.]

Proclamation by the Governor of Virginia.

By his Excellency the Right Honourable John, Earl of Dunmore, His Majesty's Lieutenant and Governour-General of the Colony and Dominion of Virginia, and Vice-Admiral of the same.

A Proclamation.

As I have ever entertained hopes that an accommodation might have taken place between Great Britain and this Colony, without being compelled by my duty to this most disagreeable, but now absolutely necessary step, rendered so by a body of armed men, unlawfully assembled, firing on His Majesty's Tenders; and the formation of an Army, and that Army now on their march to attack His Majesty's Troops, and destroy the well-disposed subjects of this Colony: To defeat such treasonable purposes, and that all such traitors and their abettors may be brought to justice, and that the peace and good order of this Colony may be again restored, which the ordinary course of the civil law is unable to effect, I have thought fit to issue this my Proclamation, hereby declaring, that until the aforesaid good purposes can be obtained, I do, in virtue of the power and authority to me given by His Majesty, determine to execute martial law, and cause the same to be executed throughout this Colony. And to the end that peace and good order may the sooner be restored, I do require every person capable of bearing arms to resort to His Majesty's standard, or be looked upon as traitors to His Majesty's crown and Government, and thereby become liable to the penalty the law inflicts upon such offences—such as forfeiture of life, confiscation of lands, &c., &c.; and I do hereby further declare all indented servants,

Negroes, or others, (appertaining to Rebels,) free, that are able and willing to bear arms, they joining His Majesty's Troops, as soon as may be, for the more speedily reducing this Colony to a proper sense of their duty to His Majesty's crown and dignity. I do further order and require all His Majesty's liege subjects to retain their quit-rents, or any other taxes due, or that may become due, in their own custody, till such time as peace may be again restored to this, a present, most unhappy Country, or demanded of them for their former salutary purposes, by officers properly authorized to receive the same.

Given under my hand, on board the Ship William, off Norfolk, the 7th day of November, in the sixteenth year of His Majesty's reign.

DUNMORE.

God Save the King.

THE LOYALISTS OF NEW BRUNSWICK, CANADA.

By M. C. HAYWARD, Town Clerk, Hartland, New Brunswick.

In reference to your enquiry as to books on the Loyalists, I feel rather doubtful about attempting to give you any information, as my interest in local history only dates back to a few months, and things which might appear very new and important to me would be all old to you. Passing over Sabine's *Loyalists,* with which you are of course familiar, and which is inaccurate in some respects, there is very little directly on the New Brunswick Loyalists. Rev. W. O. Raymond, a local historian, has done some excellent work in his History of the St. Johns River and in the Collections of the New Brunswick Historical Society. Professor W. H. Siebert, of Ohio University, has written some rather short and scrappy monographs on various phases of the question, which were published in the *Mississippi Valley Historical Review* and the *Transactions of the Royal Society of Canada,* and tells me that he is now preparing a small monograph on the Loyalists of Pennsylvania, in which I was especially interested. Hannay's *Queen's Rangers* in the *Transactions of the Royal Society of Canada,* gives the Muster Rolls of the Regiment and a great deal of information in reference to where they settled in the Province and their later descendants. Then there are Van Tyne's *Loyalists,* Stark's *Loyalists of Massachusetts,* Van Flick's *Loyalism in New York* and Jones' *Standard History* along the same line, to which may be added Ryerson's *Lives and Times of the Loyalists.*

After the Loyalists came to New Brunswick, Commissioners were sent out from England to hear their evidence on their claims for compensation and the evidence taken was printed by the Ontario Government in 1904, which is a mine of information along these lines. Amateur as I am, by means of this evidence I have been able to spot several glaring errors in some of the works to which I have referred. Besides, the New York Public Library has copied and indexed a great deal of information contained in

the public record office in London and will furnish photostatic copies for a nominal fee.

Practically all the New Brunswick Loyalists, at least those who came as regular military organizations, were from Pennsylvania and the New England States, and no systematic effort has been made to make any study of the Loyalists who came from the Southern States. If you would give me the names of some of the Virginia families whom you have in mind, especially if you could give me the name of the progenitor who left there I would be very glad to see if I could get any further information from the scanty material which we have.

Capt. Jacob Elligood raised the Queen's Loyal Virginia Regiment, 600 strong, and Elligood himself came to the Province. His sworn evidence is very complete.

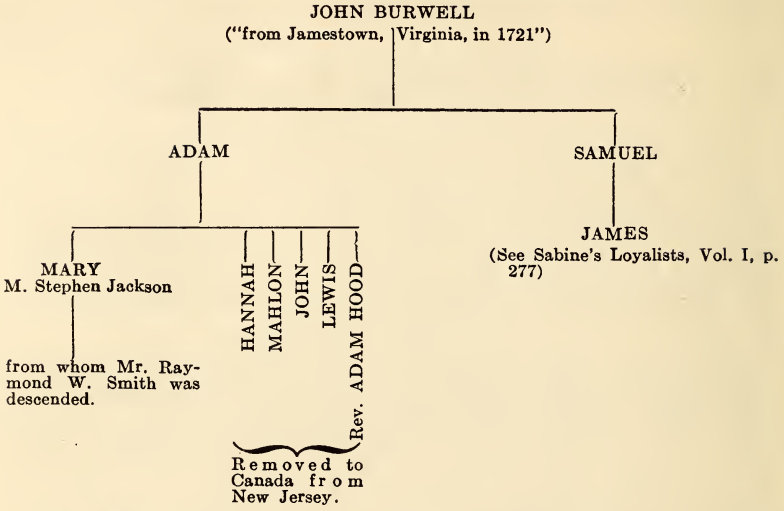
BURWELL OF NEW JERSEY AND CANADA.

One of the unsolved connections of the Burwell family of Virginia is presented in the loyalist James Burwell, who was born at Rockaway, New Jersey, January 18, 1754, entered his majesty's service in 1776 at the age of twenty-two and served seven years, and was present at the battle of Yorktown, when Lord Cornwallis surrendered, and was then slightly wounded.

After the war he moved to Nova Scotia, where he remained four years. He then returned to New Jersey to take care of his aged mother, married and removed to Pennsylvania and from thence came to Upper Canada in 1796, too late to obtain the King's bounty of family land, but was placed on the Upper Canada list and received two hundred acres for himself and each of his children. He removed to Talbot settlement in the year 1810. He died in the county of Elgin, Canada, July, 1853, aged ninety-nine years and five months.

Sabine, who in his *Biographical Sketches of Loyalists of the American Revolution,* gives these facts, adds that James Burwell's father, Samuel Burwell, was eldest son of John Burwell, who removed from Jamestown, Virginia, in the year 1721, a relative of the extensive family of Burwells in this country (Virginia), formerly from Bedford and Northampton, England, the first of whom was buried at York River, Gloucester County, Va., 1652 (Major Lewis Burwell, 1621-1653).

Mr. Raymond W. Smith, of Orange, New Jersey, wrote in 1916 that he had found the Canadian branches of the family, who removed from New Jersey at the time of the Revolution and all claimed descent from the Virginia Burwells. He gave the following chart pedigree:



Can John Burwell above have been a descendant of Edward Burwell (brother of Major Lewis Burwell), who was living in York County, Virginia, in 1648?

THE BAPTISTS OF FAUQUIER COUNTY.

By C. A. HOPPIN.

A paper noted in a mass of unarranged old papers of all kinds, existing amid dirt and rubbish in a general storage room of the county clerk's office at Warrenton, Fauquier Co., Va.

"To the Worshipful Court of Fauq^{r} County—

"The Petition of us the Subscribers Sheweth, that we Being Desenters bearing the Denomination of Baptists &c. Desireing to Worship God According to the Best light that we have in Holy Scriptures, and the Dictates of our Own Consciences, Humbly Prayeth that your Worships would be Pleased to grant us liberty To meet to gether for the worship of God in our way the Prosecution of what We beleive to be Duty at the Meeting House Built for that Purpose on a Tenement of Land Occupied by Burr Harrison, and Also would beg leave further to Pray That the same might be Entred on record And a Certificate thereof might be granted to the Barer of these Presents and Also that our Brother John Monroe might be Permitted To Qualify according to Law for the Attending on us with the Preaching of the Gosples And the Administrations of the Ordinances. And your Petitioners as in our Duty will Pray for your Worship &c.

"Burr Harrison
John Hitt
William hollen
James Winn
Dawson burgess
W^{m} Elliott
Geo. Bennett
Rich^{d} Oldham Jun^{r}

"Ale^{a} Holton
Matthew Smith
James Winn
Sam^{l} Pepper
John Elliott
Rich^{d} Oldham
Henry Snider Jun^{r}
Thomas Elliott
William Lain"

"John Pepper
Jeffry Johnson
John Oldham
Joseph Neavel
James Neavel
Henry Asbury
John Wright
William Hammon"
(and others).

Though this record is undated it is judged to have been prepared in 1775. About ten of these names are in the same handwriting as the preamble, and the preamble is in the same handwriting as that of Burr Harrison; he therefore put down himself such of the names as are in his handwriting, doubtless at the request or knowledge of such persons. A complete search of the minute books of the court of pleas and quarter sessions of Fauquier county from 1759 to 1800 revealed no other record of these Baptists unless the following entry so applies:

Court minute book for 1775, May term, page 232:

"Leave is granted the Anabaptists in the lower part of this County to erect a meeting-house on the Lands of John Kelly."

29th Congress, Rep. No. 326. Ho. of Reps.

SERGEANT MAJOR CHAMPE.

(To accompany bill H. R. No. 261.)

February 25, 1846.

Mr. J. H. Ewing, from the Committee on Revolutionary Claims, submitted the following

REPORT:

The Committee on Revolutionary Claims, to whom was referred the memorial of William Champe, formerly of Virginia, but now a citizen of Franklin county, in the State of Ohio, who petitions both for himself and the other children and heirs of Sergeant Major John Champe, formerly of Lee's legion of cavalry, in the army of the Revolution, report:

That the petitioners, setting forth the services of their father, Sergeant Major Champe, and the very hazardous and highly meritorious character of those services, which services he was employed to perform by General Washington himself, now seek a compensation for those services, in the form of a reward, which they allege was promised by General Washington. They allege that neither their father nor his children and heirs have ever received any compensation from the United States for this enterprise. That a grant was lately made by Congress to their indigent mother, who is the widow of said Sergeant Champe; also, a grant by the State of Virginia, of 360 acres of wild land, to the petitioner and the remainding six heirs of said Sergeant Champe, which is all that was ever received by them for the service of their said father.

That their identity as the children of Sergeant Major Champe is made out by the dopsitions and papers on file in the War Department. The mission of Sergeant Major Champe, by General Washington, in order to secure the person of the traitor Arnold, and save the life of the unfortunate Andre, and also to ascertain the grounds of the reports of certain treasons which were said to have spread through the American camp, reaching even to a major general, is familiar to all, and matter of history (Lee's Memoirs of the War of the Revolution, chapter 30;), and particularly of that most interesting period embracing some of the darkest days of the Revolution.

The committee admit every fact contained in the statement or history as established beyond a doubt, without further proof. The committee feel that they cannot render too high a tribute of respect to Sergeant Champe, for the high order of service rendered, as well as the skill and intrepidity shown at every point in this most hazardous enterprise. They cannot here recount his sufferings while engaged in this enterprise, especially while detained on one of the British fleet of transports, on which he was placed soon after he reached New York, and from which he never departed till the troops under Arnold reached Virginia.

Fully aware of his great merit, the committee feel every disposition to grant to the heirs of Sergeant Champe the relief as sought, and in the manner sought, if in their power to do so; but, on looking into the case, the committee have not been able to find proof (satisfactory) of any certain and specified reward having been promised to the sergeant by General Washington. The only instance in which "rewards" are mentioned, is in General Washington's letter to Major Lee, (Lee's Memoirs, vol. 2, page 182,) in which he says: "The plan proposed for taking A———d has every mark of a good one. I therefore agree to the promised rewards * * * with this express stipulation and pointed injunction, that he A———d is brought to me alive." The rewards here mentioned are not certain or specified. It does not say what they were to be, nor to whom given. They might, for aught that appears, have been rewards promised to those whose aid Sergeant Champe procured after arriving at New York; and this seems

probable, as it appears that Champe did promise them ample recompense, (Lee's Memoirs, 183) where Major Lee told Champe, by letter, "that the rewards which he had promised to his associates would certainly be paid on the delivery of Arnold, and in the meantime small sums of money would be furnished * * * That five guineas were sent now, and more would follow when absolutely necessary; that it was improper that he should appear with much money." And, again: when Sergeant Champe returned to the American army, General Washington is said to have munificently anticipated every desire. Nothing is here said about any reward. Again: when General Washington was called by President Adams to the command of the army proposed to defend the country from French hostility, he sent Major Lee to inquire for Champe, being determined to bring him into the field, at the head of a company of infantry. Nothing is here again said about any reward. The committee do not then see how they can grant relief in this form. In another view of the case: Is Sergeant Major Champe entitled to commutation for five years' full pay in lieu of half pay for life? He did not serve to the end of the war, but was discharged by General Washington; not because his term of service had expired, nor because he was desirous of quitting the service; but (Lee's Memoirs, 187,) "General Washington where, if recognised, he would be sure to die on a gibbet." But might, in the vicissitudes of war, fall in to the enemy's hands, presented him with his discharge from further service, lest he he was not a commissioned officer.

At the time he was singled out for this noble enterprise, Major Lee, (Memoirs, vol. 2, 162,) in his description of him to General Washington, said he was "about twenty-three or four years of age; that he enlisted in 1776; rather above common size, full bone and muscle, with a saturnine countenance, grave, thoughtful, and taciturn, of tried courage and inflexible perseverance, and as likely to reject an overture coupled with ignominy as any officer in the corps; a commission being the goal of his long and anxious exertions, and sure on the first vacancy." Again, at page 165, same work, we find the sergeant himself hesitating in entering into the enterprise, chiefly because the ignominy of desertion would place

an insuperable barrier in the way of his promotion. General Washington's language was, "that he must take it; and that going to the enemy by the instigation and at the request of his officer was not desertion, though it appeared so to be." He did take it. Sergeant Champe threw aside all considerations of a personal nature, and without further hesitation made the sacrifice at once of all his future prospects, and of life itself, on the altar of disinterested patriotism, and entered on the noble enterprise. Is it not certain that, but for this enterprise, Sergeant Champe would have been a commissioned officer and served to the end of the war, if he had not been killed or died in the service? And it happens he did survive to the end of the war; for, when inquired after by Major Lee, he was found to have removed to Kentucky after the peace. By the time Sergeant Champe returned to the American army, Major Lee was himself promoted to lieutenant colonel; and is it not almost certain he would have been promoted had he continued in the American army? The committee have no doubt but that he would have been promoted had he remained in the army; yet this does not bring him within the provisions of the resolutions of 1778 and 1783, granting commutation, as not having actually served to the end of the war, nor actually commissioned, if he had. Under this view of the case, the committee are not able to grant commutation pay; but, induced by a sense of justice and propriety in rewarding services of such high merit, and believing that the case has not a parallel in the whole of the revolutionary war, protesting at the same time that this shall not be a precedent for future grants of any value or character whatever, they report a bill allowing to the legal representatives of Sergeant Major John Champe a sum equal to the commutation pay of an ensign.

29th Congress, 1st Session. Rep. No. 380. Ho. of Reps.

COLONEL FRANCIS TAYLOR.*

(To accompany bill H. R. No. 288)

March 5, 1846.

Mr. Grider, from the Committee on Revolutionary Claims, made the following

REPORT:

The Committee on Revolutionary Claims, to whom was referred the memorial of Edmund H. Taylor, the administrator with the will annexed of the estate of Colonel Francis Taylor, deceased, asking an allowance of the commutation of five years' full pay, with interest, in lieu of half pay for life, having examined the same and the evidence, which is of the most satisfactory character, in support thereof, now report:

That Colonel Taylor entered the service of the United States as a captain the last of 1775, in the Virginia continental line, and continued in actual service until a consolidation of the Virginia regiments took place in 1778, when he retired as a supernumerary major, and so continued awaiting the order of the Congress until about the first of January, 1779, when he again was called into actual service by the Congress in a resolution passed the 9th of January, 1779, which required that a battalion of 600

*For Col. Francis Taylor and his Descendants, see Hayden, *Va. Genealogies*, 680, 681.

men be forthwith raised in Virginia on continental establishment, and the officers to be appointed out of those of the Virginia line who had been left out of the late arrangement of the continental army. (See the printed journals of the Continental Congress, by Way & Gideon, vol. 3d, page 179.) Col. Taylor was appointed lieutenant colonel of the said battalion, and, upon the death of Colonel Charles Lee, was promoted to the rank of colonel, and commanded the regiment which was raised to guard the convention prisoners (as they were termed) until the same was disbanded in June, 1781. The regiment he commanded was disbanded upon the removal of the prisoners from Winchester, Virginia, where they had been kept; and by the discharge of the troops, Colonel Taylor became supernumerary, and so remained until the close of the war.

Your committee are entirely satisfied that the regiment he commanded was a continental regiment, as it was taken upon continental establishment by Congress, in the passage of the resolution of the 9th January, 1779, aforesaid, and ordered thereby to be officered by those officers who had been left out of the late arrangement, and were then supernumeraries. In the army registers of Virginia, this regiment has been always classed among the continental corps, and which fact, says the auditor of that commonwealth, is satisfactory proof that such officers were continental officers. (See a report No. 457, from the Committee on Public Lands, at the first session of the 28th Congress, page 193.) Mr. Jefferson, while governor of Virginia, in a letter to the commander-in-chief of the American army, under date the 28th November, 1779, expressly mentions Colonel Taylor's regiment of guards to the convention troops as being of the continental line. (See Jefferson's Works, vol. 1st, page 170.) The settled decisions of both the War and Treasury Departments of this government are that the regiment was a continental regiment. The executive of Virginia so decides. Besides, both Houses of Congress as well as various committees have repeatedly decided that this regiment was a continental regiment. Congress so decided in the passage of the act of the 25th May, 1832, allowing Major John Roberts, an officer of this regiment, his commutation pay with interest; also in

the passage of the act of the second of March, 1833, allowing Captain John Thomas, another officer of this regiment, his commutation pay with interest; also in the passage of the act of the 30th of June, 1834, allowing the heirs of Lieutenant John Taylor, another officer of this regiment, his commutation pay. The Committee on Revolutionary Claims decided that this regiment was a continental regiment in their report conceding the commutation pay with interest to the heirs of Captain Garland Bumley, another officer of this regiment, at the second session of the 25th Congress. The committee so decided in their report at the second session of the 25th Congress, in conceding the commutation pay to the heirs of Captain James Burton, another officer of said regiment; likewise so decided in their report at the second session of the 24th Congress, conceding commutation pay to the legal representatives of James Purvis; so decided again at the third session of the 25th Congress, in conceding commutation pay to the heirs of Samuel O. Pettus, another officer of said regiment. Besides, the Committee on Revolutionary Claims, of which the Hon. Judge Underwood, from Kentucky, was chairman, did, at several sessions of Congress, make favorable reports in the case of Colonel Taylor, allowing commutation pay, one of which was acted on in the House and passed, but, owing to the lateness of the session, did not reach the Senate in time to be considered. The Committee on Public Lands, at the first session of the 28th Congress, investigated all the laws and facts touching the claims of this regiment, and showed, as appears to your committee beyond the shadow of a doubt, that this regiment of Colonel Taylor's was a continental regiment. (See report No. 457, 1st session 28th Congress, from page 115 to 123 inclusive.)

Your committee are satisfied that a more meritorious claim could not be presented to the consideration of Congress, nor one more clearly embraced by the resolutions of Congress of the 21st October, 1780, and 22d March, 1783; and therefore report a bill granting the relief prayed in the memorial.

A LIST OF MARRIAGE BONDS—NORTHAMPTON COUNTY, VA.

1706-1800

(Continued from Vol. 1, Page 211)

Communicated by STRATTON NOTTINGHAM

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Kendall, William, Jr	Mary Haggoman		April	14	1774
Kerby, Robert	Elizabeth Marshall		June	18	1744
Kerwin, Andrew	Anne Luke		Aug	4	1783
Kerwin, Andrew	Susannah Grice		Dec	2	1783
Kindend, John	Margaret Preeson		May	1	1738
Knight, Henry	Hamutal Knight, wid		Oct	22	1756
Knight, John	Molly Floyd	Charles Floyd	Feb	24	1790
Knight, Thomas	Susanna Fisher, wid		Aug	19	1751
Knight, William	Mary Benthall	William Benthall, dec	May	28	1777
Lane, Ezekiel	Hannah Harmanson, wid		Nov	12	1763
Lane, William	Margaret Fulwell	Jno. Lewis Fulwell	Oct	7	1789
Lawrence, Levin	Susanna Eshom		Feb	18	1788
Leatherbury, Perry	Agnes Roberts, wid		Jan	9	1770
Lemount, Hardis	Elizabeth Pigot, wid		Dec	6	1758
Lewis, George	Margaret Nottingham		Nov	10	1789
Liverpool, Daniel	Elishe Drighouse		June	25	1799
Liverpool, Henry	Kesiah Becket		March	17	1789
Lockwood, Amos	Joice Twiford		July	8	1794
Luke, Daniel	Mary Walter	John Walter	June	25	1772
Luke, Daniel	Molly McCrady		May	25	1796
Luke, Daniel	Sally Bell		April	17	1799
Luke, Isaac	Elizabeth Wilson		Jan	5	1780
Luker, John	Elizabeth Mapp	Hansen Mapp, dec	Dec	31	1763

Luker, Walter	Sukey Hunt, ward of Nathaniel Goffigon		Dec	24	1791
Lyon, James	Sarah Eyre		July	16	1799
Mahier, Richard	Mary Savage		April	20	1719
Major, John	Anne Johnson	Obedience Johnson, dec	Oct	11	1791
Major, Littleton	Sarah Dunton	Jacob Dunton	Sept	5	1790
Major, Smith	Betsey Crippen		March	14	1796
Major, William	Rachel Underhill		June	25	1798
Mann, William	Margaret Kellum		April	23	1790
Mapp, John	Betty Haggoman, wid		Feb	24	1765
Mapp, Robins	Jane Holbrooke	Rev. John Holbrook, dec	Nov	12	1755
Mapp, Robins	Margaret Mathews		Jan	14	1789
Mapp, Samuel	Jane Baker, wid		July	1	1776
Mapp, Samuel	Susanna Godwin		Jan	26	1786
Mapp, Thomas	Bridget Westerhouse		Sept	25	1759
Mapp, William	Esther Moore, wid		Sept	28	1770
Marshall, Jacob	Margaret Roberts, wid		Dec	29	1749
Marshall, Thomas John	Sarah Darby		Feb	12	175–
Martin, John	Parmer Satchell		Sept	7	1785
Martin, Luke	Elishe Freshwater		June	8	1786
Martin, Luke	Molly Barret	David Barret	Jan	6	1789
Martin, Luke	Mary Dalby		June	12	1792
Martin, Lewis	Polly Harrison		Sept	17	1778
Masling Thomas	Elizabeth Pigot, wid		July	20	1773
Maslin, ,Thomas	Susanna Scott, wid of John Scott		April	27	1787
Maslin, Thomas	Betty Wheeler		July	19	1792
Mathews, Michael	Sally Barlow, ward of Littleton Upshur		July	13	1790
Matthews, William	Violetta Boole		April	25	1798
Matthews, Custis	Sarah Dixon	John Dixon, dec	Dec	8	1772
Matthews, Custis	Sarah Andrews, wid		June	11	1777
Matthews, Jonathan	Margaret Johnson, wid		Aug	1	1775
Matthews, Jonathan	Sarah Turner		April	13	1790
Matthews, Levin	Mary Nottingham	Addison Nottingham	Jan	11	1779
Meholloms, Stringer	Bridget Edmunds	David Edmunds	May	9	1781

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Meholloms, George	Esther Core		Sept	26	1791
Melvil, Hesakiah	Bridget Morris		Jan	2	1786
Melvin, George	Agnes Clegg		Dec	24	1794
Michael, John	Margaret Christian	William Christian	Feb	16	1767
Michael, John, Jr	Rose Wainhouse		Jan	22	1771
Michael, Joachim	Mary Blaikley Stith	Griffin Stith	April	12	1770
Michael, Thomas	Comfort Waterson		Dec	30	1747
Michael, Tilney	Mary Roscoe, wid		May	28	1760
Michael, William Wainhouse	Margaret Downing	Zerobabell Downing	Feb	11	1772
Milby, Adial	Elizabeth Christian	William Christian	Jan	8	1770
Milby, John	Leah Coward, wid		Sept	18	1756
Milby, John	Nancy Aimes		Aug	27	1793
Milman, Ephram	Rachel Dowty		Sept	17	1791
Milbee, John	Sarah Turner, wid		Aug	13	1754
Mills, Edmund	Susanna Fitchett	Nehemiah Fitchett	Feb	23	1761
Mills, Jacob	Comfort Willis	Jonas Willis	Dec	18	1789
Mills, Jacob	Agnes Groves		Sept	17	1795
Mockey, Willock	Desdemonee Jackson		Sept	14	1752
Moor, Jacob	Agnes Odear, wid. of Joseph Odear		Jan	17	1780
Moor, Jacob	Elizabeth Wilkins		Feb	7	1789
Moor, Jacob	Peggy Robins, wid. of Mark Robins		Nov	2	1792
Moor, John	Elizabeth Twiford		Feb	8	1780
Moor, Matthew	Esther Joyne	Edmund Joyne	Jan	20	1764
Moor, William	Peggy Dixon		March	6	1780
Moor, William	Margaret Wood	William Wood	Jan	5	1782
Moor, William	Santica Dixon		Aug	29	1783

Moore, Levy	Sarah Waterson		Sept	25	1744
Moore, Matthew	Peggy Wilkins		April	14	1752
Moore, Matthew	Nancy Freshwater		Jan	13	1798
Moore, Richard	Polly Cullin		Feb	27	1796
Morris, George	Mary Stevens		Oct	19	1785
Moses, Mark	Mary Becket		Dec	13	1785
Moses, Ezekiel	Diana Becket, wid. of Mark Becket		Aug	22	1791
Murray, James	Hannah Savage	Thomas Savage, dec	May	16	1764
McCown, John	Esther Downs		Sept	28	1791
McCroskey, Samuel Smith.	Elizabeth Bowdoin		Nov	24	1780
McDonald, William Gibb..	Sarah Michael	Tilney Michael	Sept	20	1771
McDonald, William Gibb..	Hannah Bell	George Bell, dec	July	1	1773
McGregor, James	Sally Jacob		June	23	1795
Neal, Presley	Susanna Satchell	Charles Satchell	Sept	12	1780
Nelson, John	Sarah Goffigon	James Goffigon, dec	Oct	17	1772
Nelson, John	Adah Carpenter		July	6	1790
Nelson, James	Mary Hamilton		July	11	1780
Nelson, Southy	Elizabeth Willett	Thomas Willett	May	5	1770
Nivison, John	Sarah Stratton	John Stratton, Sr	Dec	6	1781
Nolen, Lewis	Molly Warren		Dec	8	1789
Nottingham, Addison	Barbary Powell, wid		July	15	1763
Nottingham, Isaac	Sarah Freshwater	Mark Freshwater	Aug	31	1748
Nottingham, Isaac	Mary Kendall, wid		Nov	23	1763
Nottingham, Isaac	Sophia Dixon		Sept	12	1792
Nottingham, John	Peggy Nottingham	Severn Nottingham	Dec	27	1788
Nottingham, John	Betsy Taylor	Thomas Teakle Taylor	Dec	8	1789
Nottingham, Joseph	Amelia Roberts, wid. of Moses Roberts		May	14	1793
Nottingham, Joseph	Anne Jacob		Jan	1	1794
Nottingham, Nathaniel	Mary Jacob		Aug	17	1799
Nottingham, Richard	Elizabeth Wilkins	Watkins Wilkins, dec	July	10	1764
Nottingham, Richard	Mary Evans	Arthur Evans	Dec	18	1776
Nottingham, Richard	Anne Harrison		Jan	18	1785
Nottingham, Robert	Elishe Stringer, wid		Nov	15	1741
Nottingham, Robert	Anne Johnson		April	12	1785

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Nottingham, Severn	Elizabeth Evans	Arthur Evans, dec	Feb	10	1769
Nottingham, Severn	Nanny Waterfield, wid		Oct	5	1790
Nottingham, Thomas, Jr	Peggy Johnson	William Johnson, dec	Nov	8	1776
Nottingham, William	Leah Walter	John Walter	Nov	16	1768
Nottingham, William	Peggy Fitchett		July	6	1795
Nottingham, William	Elishe Parks Wingate		April	21	1797
Nottingham, William	Molly Bell		Feb	6	1798
Odear, John	Esther Phaben		July	2	1788
Odear, Joseph	Molly Nag——?		Dec	24	1799
Outten, Timothy	Betsey Moore		Feb	13	1796
Owen, Thomas	Elishe Wilson, wid		July	21	1774
Page, Robert	Esther Turner	John Furbush Turner	Nov	28	1778
Parker, Clement	Elizabeth Core		Oct	25	1798
Parker, George	Annie (or Amie) Major		Dec	18	1721
Parker, George	Marharet Eyre	Severn Eyre, dec	Oct	12	1786
Parkerson, James	Elizabeth Holland, wid. of John Holland		Aug	1	1787
Parkerson, Joseph	Lydia Smith, wid		Dec	13	1754
Parramore, Thomas	Esther Burton	John Burton, dec	Dec	22	1787
Parramore, Thomas, Jr	Mary Darby		April	22	1797
Parramore, William	Sarah Seymour	Digby Seymour, dec	Oct	22	1763
Parsons, Thomas	Anne Wise	Col. John Wise, dec	May	25	1772
Parsons, William	Sarah Cable	Margaret Cable	Feb	13	1749
Parsons, William	Mary Costin	Francis Costin	March	11	1783
Peak, Thomas	Sally McCready		March	10	1797
Peterkin, James	Anne Holt, wid		Jan	20	1758
Pettitt, Bartholomew	Leah Pitts, wid		Feb	4	1765
Pettitt, John, Jr	Adah Pettitt	John Pettitt, Sr	Jan	11	1780
Pettitt, Laban	Joanna Wilkins		July	29	1768

Pettit, Major	Susanna Bradford		Sept	17	1795
Pettit, Stuart	Peggy Dustin		Sept	9	1787
Pettitt, Thomas	Anne Custis	Robinson Custis	Sept	24	1767
Pettit, Thomas	Polly Stakes		Oct	23	1797
Pettitt, William	Mary Custis, wid		June	17	1754
Phaben, Paul	Mary Wilson, wid		May	31	1779
Pierson, George	Sally Dolby		April	6	1797
Pigot, John	Peggy Nottingham		Sept	17	1787
Pigot, Capt. Ralph	Mary Bullock		Oct	21	1724
Pitts, George	Elizabeth Dewey		July	14	1783
Pitts, John	Nancy Major		Dec	10	1798
Pitts, Jacob	Rachel Kelly		Dec	27	1742
Pitts, Purnal	Elizabeth Gilden	Charles Gilden, dec	Sept	13	1791
Pool, George	Comfort Weeks		May	10	1793
Potter, Edmund	Mary Floyd		May	30	1752
Poulson, James	Elizabeth Guy		March	8	1798
Powell, George	Molly Nottingham	Jacob Nottingham	June	22	1776
Powell, Nathaniel	Susanna Milby	John Milby, dec	Aug	11	1772
Powell, Seth	Elizabeth Dowty		March	18	1791
Pratt, John	Nancy Williams		May	7	1796
Pratt, Scarbrough	Sally Johnson		March	25	1799
Pratt, William	Anne Rippin	William Rippin	March	9	1779
Preeson, Thomas	Esther Cable		March	12	1738
Prentis, Joseph	Margaret Bowdoin	John Bowdoin, dec	Dec	11	1778
Press, Littleton	Molly Fisherman		Dec	14	—?
Pugh, Francis	Ffarabee Savage		Sept	8	1722
Pugh, Theophilus	Esther Robins	Col. John Robins	Feb	9	1738
Rabyform, William	Grace Harmanson, wid		March	19	1709
Rafield, Charles	Susanna Jones	Isaac Jones	Aug	5	1791
Rasin, Thomas Savage (Kent County, Md.)	Susanna Reynolds		April	27	1770
Reafield, Thomas	Nancy Thomas		April	6	1798
Reed, Isaac	Betty Stevens		July	2	1793
Respess, John	Elizabeth Kendall, wid		April	30	1766
Respess, John	Susanna Luker		July	9	1791
Respess, Matthew	Sophia Harmanson	Henry Harmanson	July	23	1790

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Respess, Thomas	Esther Burton, wid		Dec	16	1746
Richardson, Soloman	Esther Roberts		Nov	2	1797
Richardson, Eli	Polly Currie		March	23	1799
Rippin, John	Betty Elliot	Thomas Elliot	May	22	1756
Rippin, Thomas	Anne Wilkins	Major Wilkins			1793
Rippin, William	Susanna Russel		March	17	1790
Roberts, Arthur	Margaret Bagwell		Nov	3	1724
Roberts, Arthur	Elizabeth Major		March	2	1793
Roberts, Arthur	Betsey Underhill		May	11	1795
Roberts, Emanuel	Rachel, Powell	Abel Powell, dec	Feb	12	1760
Roberts, Humprey	Anne Mifflin, wid		Jan	23	1759
Roberts, Jacob	Sarah Taylor		April	25	1793
Roberts, Jacob	Lucy Gale		March	6	1797
Roberts, John	Rachel Harrison		Feb	24	1787
Roberts, Moses	Susanna Dowty		Oct	12	1784
Roberts, Moses	Milly Dalby		Feb	22	1787
Roberts, Moses	Olive Snails		Aug	12	1791
Roberts, Obedience	Peggy Dalby		April	30	1785
Roberts, Teackle	Frances Courser		June	19	1794
Roberts, Thomas	Elizabeth Willis		Jan	1	1787
Roberts, Thomas	Mary Walker		March	29	1794
Roberts, William	Elizabeth Houghton, wid. of Jacob Houghton		Aug	15	1778
Roberts, William, Jr	Abigal Carpenter		July	9	1795
Robins, Arthur	Iillah Braiser		Jan	6	1783
Robins, John, Jr	Sarah Harmanson	Susanna Harmanson	Oct	8	1729
Robins, John, Jr	Susanna Godwin		June	17	1734
Robins, John	Sarah Harmanson		March	13	1749
Robins, Joshua	Sarah Green	William Green	July	12	1768

Robins, Teackle	Elizabeth Stott	William Stott	April	29	1772
Rodgers, Robert	Susanna Walter		Dec	1	1784
Rodgers, Robert	Anne Ash		Jan	6	1786
Rogers, Major	Margaret Roberts		May	8	1753
Rogers, Nathaniel	Mary Johnson	Moses Johnson	Aug	12	1755
Ronald, William	Elizabeth Kendall	George Kendall	Oct	10	1769
Rooks, William	Bridget Dalby		Jan	8	1788
Rose, Isaac	Rosey Rose, wid		April	15	1793
Rose, Isaac	Polly Joynes		July	13	1795
Rose, Jacob	Rosanna Addison, wid. of Littleton Addison		Feb	14	1792
Rose, John	Polly Turner, wid. of Edward Turner		Dec	11	1787
Rose, Samuel	Adah Pettit		Jan	22	1795
Roscoe, James	Joanna Stott		June	12	1770
Roscoe, William	Ann Hunt	Thomas Hunt, dec	Nov	5	1779
Rosco, William	Sally Dunton		Nov	19	1799
Russel, Ignatius	Joanna Roberts		March	4	1784
Russel, Ignatius	Susanna Odear				
Salisbury, William	Elizabeth Costin		Feb	4	1796
Salt, William	Peggy Luke	Daniel Luke	June	3	1765
Salts, John	Clara Knight		Dec	27	1797
Sampson, John	Anne Holt, wid		Oct	28	1758
Sampson, Stephen	Anne Holt	George Holt	March	7	1761
Sampson, Stephen	Anne Pettitt, wid. of Thomas Pettitt		June	9	1779
Sanford, James	Sarah Bell		Nov	27	1797
Satchell, Charles	Margaret Green		Feb	4	1778
Satchell, John	Elizabeth Green		Jan	13	1787
Satchell, William	Elizabeth Stringer		May	30	1796
Saunders, John	Elizabeth Campbell		March	9	1786
Saunders, John	Kesiah Abdeel, wid		July	12	1788
Saunders, John	Mary Scott		Dec	24	1793
Saunders, Robert	Sarah Bowdoin		Feb	11	1795
Saunders, Stuart	Sally Clegg		Jan	17	1792
Savage, Abel	Elizabeth Dunton		Nov	27	1776

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Savage, Abel	Susanna Clegg, wid		Sept	8	1789
Savage, Arthur	Elizabeth Smith	Caleb Smith	June	18	1794
Savage, Caleb	Elishe Johnson		Dec	10	1784
Savage, Caleb	Elizabeth Jenne		Dec	2	1794
Savage, George	Elizabeth Harmanson	Kendall Harmanson	Jan	11	1774
Savage, George	Sarah Stith		May	19	1795
Savage, John	Mary Godwin		April	14	1738
Savage, John	Rachel Belote	John Belote	Jan	31	1763
Savage, John	Tabitha Belote, wid		May	11	1764
Savage, John	Susanna James	Robert James, dec	June	11	1776
Savage, Littleton	Margaret Burton	William Burton	Jan	24	1768
Savage, Littleton	Elizabeth Jacob		Dec	11	1792
Savage, Michael	Betsey Mapp		Oct	7	1794
Savage, Revel	Nancy Turner		June	10	1794
Savage, Thomas, Jr	Esther Littleton		Nov	7	1722
Savage, Thomas Littleton	Mary Burton Savage	Littleton Savage	May	21	1789
Savage, Thomas Littleton	Margaret Teackle, sister of John Teackle, Jr		Jan	7	1796
Savage, William	Peggy Savage		June	29	1779
Savage, William	Comfort Michael, ward of Edmund Joynes		Nov	7	1797
Savage, William B	Susanna Smith		May	12	1795
Scarborough, Charles	Bridget Robins		Aug	20	1794
Scarburgh, John	Anne Kendall	John Kendall	June	26	1759
Scarbrough, Capt. John	Mary Jacob, ward of Hezekiah Pitts		June	14	1784
Scarburgh, Samuel	Peggy Kendall	John Kendal	April	10	1759
Scarburgh, William	Margaret Jacob	Abraham Jacob, dec	April	23	1776
Scott, Benjamin	Sally Nottingham		Sept	23	1796

Scott, Daniel	Esther Warren	Hillary Warren	Feb	13	1788
Scott, George	Sarah Kemp		Dec	22	1790
Scott, John, Sr	Susanna Hart, wid. of Stephen Hart		May	17	178–
Scott, John	Betsey Churn		Feb	4	1797
Scott, Michael	Nancy Whitehead		June	25	1790
Scott, Thomas	Sarah Johnson	Thomas Johnson, dec	May	14	1772
Scote (Scott), William, Sr.	Ann Davis, wid		July	2	1709
Scott, William	Betty White	William White, dec	April	4	1764
Scott, William	Betsy Hunt		Dec	20	1783
Scott, Zerobabel	Anne Scott		Dec	26	1787
Scott, Zerobabel	Mary Bell, wid. of Thomas Bell		Nov	16	1781
Setton (Seaton), Thomas	————?		May	31	1787
Seymour, Digby	Rose Christian		Feb	10	1736
Shepperd, Hezekiah	Ibby Baker		Nov	28	1787
Simpkins, Arthur	Peggy Dolby		Aug	19	1761
Simpkins, Coventon	Bridget Westerhouse	William Westerhouse, dec	May	30	1781
Simpkins, Coventon	Margaret Satchell, wid. of Charles Satchell		Feb	21	1788
Simpkins, John	Sally James	Hezekiah James	Feb	27	1786
Simpkins, William	Anne Dunton	William Dunton	May	24	1769
Simpkins, William	Sally Dunton		Sept	22	1783
Simpkins, William	Peggy Dunton	Betty Dunton	April	17	1793
Sisco, Daniel	Betsey Weeks		Dec	9	1794
Smaw, George	Peggy Evans	William Evans	Jan	19	1785
Smaw, George	Nancy Smaw		June	22	1795
Smaw, Henry	Elizabeth Holland		Oct	17	1783
Smaw, John	Mary Griffeth	Daniel Griffeth	July	15	1786
Smith, Caleb	Sarah Johnson, wid		June	8	1779
Smith, Charles	Catherine Teackle		March	21	1786
Smith, George	Rebecca Sickles		Dec	14	1778
Smith, George	Esther Parsons		Dec	26	1787
Smith, Isaac	Elizabeth Goffigon		April	24	1790
Smith, John	Sarah Johnson	Benjamin Johnson	Feb	9	1765
Smith, John	Elizabeth Johnson	Isaac Johnson	Dec	8	1789
Smith, James	Anne Anderson	Matthew Anderson	Aug	15	1789

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Smith, James	Nancy Meholloms		Jan	4	1799
Smith, Jonathan	Anne Westerhouse, wid		Dec	21	1772
Smith, Jonathan	Nancy Joynes		Jan	26	1798
Smith, Jonathan	Esther Savage		Aug	29	1799
Smith, Richard	Susanna Dixon		Jan	17	1761
Smith, Richard	Peggy Dixon	Tilney Dixon, dec	April	4	1792
Smith, Thomas	Susanna Jacob	Esau Jacob	Sept	11	1770
Smith, Thomas	Ann Pitts	John Pitts, Sr	June	27	1778
Smith, Thomas	Susanna Johnson	Obediah Johnson	Feb	9	1778
Smith, Thomas	Esther Andrews		Dec	24	1790
Smith, Thorowgood	Mary Blaikley Michael		June	28	1775
Smith, William	Peggy Addison		Dec	28	1784
Smith, William	Mary Scott	Thomas Scott, dec	April	23	1791
Snead, Smith	Rosetta Christian		Feb	12	1783
Snead, William	Adah Satchell	William Satchell, Sr	Jan	16	1788
Spady, Benjamin	Adah Spady		March	10	1798
Spady, Jacob	Sarah Roberts		Dec	18	1788
Spady, James	Catherine Dalby		March	28	1785
Spady, James	Mary Hughes		June	3	1796
Spady, Southy	Susanna Mills		Jan	21	1783
Spady, Southy	Mary Joyne		Jan	10	1786
Spady, Southy	Nancy Trower		May	11	1790
Spady, Thomas	Mary Wheeler		March	8	1780
Spady, William	Susanna Caple		June	9	1796
Speakman, Thomas	Betsey Tyler		June	13	1796
Speakman, John	Elizabeth Wilkins	Elizabeth Wilkins	Sept	12	1796
Spencer, Moses	Anne Arnold		May	31	1769
Stephens, William	Elizabeth Dixon	John Dixon	Oct	29	1773
Stevens, Isaac	Rachel, Thomson		Jan	22	1791

Stevens, Samuel	Nancy Lang		July	16	1797
Stevens, John	Betsey Thompson		Aug	7	1798
Stith, Griffin, Jr	Anne Stratton		June	29	1778
Stott, Abel	Sarah Watson		Feb	10	1789
Stott, Coventon	Kesiah Fisher	Daniel Fisher	Dec	17	1788
Stott, David	Elishe Hanby, wid		Feb	14	1775
Stott, John	Mary Dewey, wid		July	4	1759
Stott, John	Susanna Smith, wid		Aug	17	1759
Stott, John, Sr	Anne James	Thomas James	July	2	1763
Stott, John	Sarah Wise, wid. of John Wise		Sept	16	1775
Stott, John	Polly Waterfield		July	27	1787
Stott, John	Molly Giddens	John Giddens	July	5	1788
Stott, John	Hannah Warren		Feb	18	1796
Stott, Jonathan	Susanna Hays, wid		May	12	1761
Stott, Jonathan	Anne Walter		Feb	20	1772
Stott, Laban	Sarah Roberts		July	27	1752
Stott, Laban	Susanna Belote		May	17	1793
Stott, Laban	Betsey Heath		June	11	1795
Stockly, John	Isabell Moore		Feb	14	1709
Stockley, Thomas	Hannah Scott		July	31	1798
Stockley, William	Adah Stratton	Benjamin Stratton	Jan	21	1774
Stockley, William	Elizabeth Jarvis	William Jarvis	Aug	30	1775
Stratton, Benjamin	Susanna Henry, wid		Jan	1	1789
Stratton, Benjamin	Margaret Mapp Harmanson		June	5	1794
Stratton, Benjamin	Esther Parsons		Sept	4	1799
Stratton, John	Gertrude Tazewell		Feb	19	1754
Stratton, John	Peggy Wilkins	John Wilkins	Jan	25	1787
Stratton, Nathaniel	Elishe Hunt	Azariah Hunt, dec	Sept	28	1757
Stratton, William	Esther Guy	John Guy	April	28	1787
Stripe, Whittington	Mary Cox		Feb	25	1790
Stripe, Littleton	Betsey Outten		Feb	20	1796
Stringer, Hillary	Alicia Harmanson		Jan	23	1722
Stringer, Hillary	Margaret Kendall		Oct	12	1779
Stringer, John	Rachel Wilkins	Jonathan Wilkins, dec	Nov	11	1760
Stringer, John	Elizabeth Buckner Stith	Griffin Stith	Feb	7	1767

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Stringer, John	Susanna Dalby, wid. of John Dalby		Nov	12	1778
Stringer, John	Mary Godwin		Feb	23	1785
Sturgis, William	Peggy Gascoyne	Henry Gascoyne	Feb	18	1764
Sturgis, Jacob	Sarah Scott	Bartlemy Scott	Aug	10	1779
Sturgis, Richard	Margaret Dalby		Jan	21	1787
Stuart, John	Scarbrough Burton		April	27	1780
Tabb, Thomas	Elizabeth Teackle	Caleb Teackle, dec	Dec	27	1790
Tankard, Azariah	Rachel Pettitt	William Pettitt, dec	Feb	3	1764
Tankard, John	Sarah Andrews		Feb	12	1778
Tankard, John	Lilla Downing		Jan	10	1791
Taylor, George	Elizabeth Garrett	Thomas Garrett	Jan	28	1791
Taylor, George	Sarah Dalby		Aug	20	1799
Taylor, James	Susanna Rasin		Jan	16	1774
Taylor, Joshua	Martha Sturgis	William Sturgis, dec	May	11	1775
Taylor, John	Catherine Moore		Jan	7	1778
Taylor, William	Henrietta Dunton	Stephen Dunton	Feb	11	1773
Taylor, William	Sarah Wheeler		Nov	21	1780
Tazewell, William	Sophia Harmanson		June	10	1723
Teague, Thomas	Keziah Scott	Henry Scott	Feb	21	1767
Teackle, Caleb	Elizabeth Harmanson	George Harmanson	Dec	14	1771
Teackle, John	Anne Upshur	Thomas Upshur	Dec	17	1783
Teackle, Abel Upshur	Rachel Gascoyne		July	7	1790
Thomas, Harrison	Elizabeth Downing		March	23	1793
Thomas, William	Polly Smith		April	4	1795
Thomson, Isaac	Leah Stevens		Sept	22	1792
Thompson, Jacob	Sukey Morris		May	26	1795
Thurmer, Robert	Catherine Westerhouse	William Westerhouse	Oct	17	1756
Thurstain, Abner	Elizabeth Williams	Peter Williams, dec	Jan	25	1782

Tilney, Jonathan	Sarah Marshall		June	2	1742
Timmons, Michael	Mary Sabra		May	18	1799
Tomkins, John	Ann Custis, wid		Feb	19	1747
Toleman, William	Polly Heath		June	9	1792
Travis, James	Sally Dunton		Nov	10	1792
Trower, John	Sarah Smith	Richard Smith	June	11	1791
Trower, Robert	Nelly Costin		Oct	31	1795
Truitt, Solomon	Frances Smith, wid		April	24	1751
Turner, Edward	Mary Addison	Littleton Addison	Oct	26	1781
Turner, John	Sally Pitts	John Pitts	April	23	1790
Turner, Revel	Betsey Parker		Aug	26	1790
Turner, Theophilus	Sophia Turner	Edward Turner	Jan	22	1759
Turner, Teackle	Nancy Sandford		July	13	1790
Turner, Teackle	Peggy Mapp		Feb	5	1798
Turpin, John	Sally Gascoyne		Oct	27	1789
Tyson, Nathaniel	Judith Wilkins	John Wilkins	June	13	1764
Tyson, John	Mary Widgeon		Dec	14	1787
Underhill, Daniel	Mary Tompson, wid		May	27	1761
Underhill, Thomas	Susanna Evans	Arthur Evans, dec	Nov	14	1767
Underhill, Thomas	Susanna Barlow		Aug	13	1793
Upshur, Abell	Elizabeth Gore	David Gore, dec	Nov	15	1779
Upshur, John, Jr	Elizabeth Brown Upshur				17—
Upshur, John	Rosey Robins		July	23	1794
Upshur, John	Margaret Michael, wid. of William Michael		March	17	1781
Upshur, Thomas	Anne Stockley, ward of Nathaniel and Mary Beavans		Jan	29	1761
Vawter, William	Margaret Bowlwell		July	12	1746
Vermillion, Guy	Sarah Jacob, wid		May	15	1782
Viccans, John	Esther Clegg	Clark and Sarah Clegg	Oct	4	1792
Waddy, Thomas	Adah Carpenter		Nov	1	1788
Wakefield, Peter	Susey Weeks		Sept	17	1794
Waltham, John	Anne Michael, wid		Dec	26	1759
Waltham, John	Susanna Johnson	Obediah Johnson, dec	Feb	10	1778
Waltham, William	Sarah Johnson	Obediah and Pricilla Johnson	Feb	24	1780

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Walter, John	Susanna Stott, wid		Dec	8	1767
Ware, William	Barbara Batson		Feb	5	1722
Ward, Goldin	Peggy Savage	Delitha Savage	Aug	24	1786
Ward, Littleton	Anna Bell, wid. of William Bell		Dec	21	1787
Ward, Stephen	Elizabeth Harrison	Salathall Harrison	April	2	1774
Ward, Stephen	Nancy Cook		June	6	1791
Ward, Stephen	Adah Hickman		March	2	1797
Ward, William	Elizabeth Johnson		Aug	8	1786
Ward, William	Catherine McCready				1787
Ward, William	Agnes Melvil		Jan	7	1797
Warren, Argoll	Elizabeth Marriner, wid		Feb	15	1709
Warren, Hillary	Mary Dixon, wid		July	11	1764
Warren, Hillary	Hannah Rayfield		Dec	11	1787
Warren, Henry	Rose Mary Campbell	Nicholas Campbell	July	28	1772
Warren, Hezekiah	Adah Kellam		Dec	4	1794
Warren, Joseph	Martha Lu——		August	—	1707
Warren, Peter	Mary Waterson		Feb	13	1750
Warren, Peter	Rose Johnson, wid		Nov	3	1774
Warren, William	Anne Wheeler		July	26	1788
Waterfield, Jacob	Susanna Harrison		June	11	1748
Waterfield, Jacob	Sarah Joyne		Feb	21	1791
Waterfield, John	Mary Dunton	Richard Dunton	Feb	12	1754
Waterfield, Meshack	Jane Salts		June	14	1785
Waterfield, Meshack	Rachel Benthall		Jan	15	1790
Waterfield, Meshack	Pricilla Bool		Jan	31	1797
Waterfield, Southy	Peggy Wilkins	William Wilkins, dec	Dec	27	1771
Waterfield, William	Nancy Hunt	Azariah Hunt, dec	June	8	1779
Waters, Edward	Margaret Waters		Aug	18	1731
Waters, Thomas	Susanna Stringer		April	20	1799

Waters, William	Mary Bayaton		April	—	1707
Waters, William	Margaret Robins		March	20	1728
Waters, William	Rose Harmanson		May	10	1739
Waters, William	Anne Jacob	Robert Clark Jacob			1789
Watson, Edmund	Rosanna Andrews	Sarah Abdell	Dec	27	1786
Watson, Moses	Director Twiford		Jan	1	1730
Watson, Revel	Nancy Tankard		July	15	1794
Watt, James	Mason Kendall		March	2	1707
Watts, David	Margaret Simpkins		Sept	5	1799
Watts, John Wilkins	Rachel Fitchett, wid		May	25	1765
Watts, John	Sarah Boyd		Nov	24	1794
Webb, Charles	Sinah Sample	(Free negroes)	June	7	1791
Webb, Southy	Ann Miles		Oct	26	1795
Westcoat, Edmund	Polly Dunton		May	19	1796
Westcote, John	Esther Floyd, wid		April	25	1774
Westcote, Joshua	Mary Pitts	Major Pitts, dec	Sept	14	1771
Westcote, Littleton	Mary Jacob	Philip Jacob, dec	Sept	1	1766
Westcoat, William	Sally Bloxom		Dec	8	1789
Westerhouse, Abraham	Anne Andrews		Feb	15	1770
Westerhouse, Reuben	Sarah Scott	William Scott, dec	Nov	11	1766
Westerhouse, William	Margaret White, wid		July	23	1745
Westerhouse, William	Leah Mapp, wid		March	13	1759
Westerhouse, William	Ann Jacob	Abraham Jacob, dec	Dec	20	1764
West, Charles	Joanna Dunton		Feb	16	1798
West, Edward	Martha Vandegrot		March	6	1726
West, Joseph	Anne Johnson, wid		Sept	1	1766
West, Joseph	Catherine Snead		March	13	1781
West, Thorowgood	Susanna Eshom		Jan	14	1786
Weeks, Zerobabel	Nancy Beavens		Jan	3	1793
Whaley, Joshua	Leah Wheeler		Nov	25	1778
Wheeler, John	Edith Luke	Daniel Luke	July	14	1772
Wheeler, John	Anne Scott, wid		June	13	1774
Wheeler, John	Margaret Garret	Amos Garret	Nov	24	1778
Wheeler, John	Kesiah Snale		April	24	1782
Wheeler, James	Elizabeth Rippin	John Rippin	Dec	8	1778
Wheeler, James	Elizabeth Saals		Sept	3	1781

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
White, Joseph	Peggy Jacob	Hancock Jacob	Jan	10	1775
White, John	Sarah Deale, wid		Jan	29	1789
White, Thomas	Esther Cowdry, wid		Nov	4	1745
White, Teackle	Elizabeth Pitts, wid of George Pitts		May	28	1789
White, William	Rachel Jacob		Oct	17	1771
Whitehead, John	Sucky Smith	James Smith	May	11	1790
Whitehead, William	Lucrotia Spady		Aug	6	1789
Widgeon, John	Adah Westerhouse	Thomas Westerhouse	May	18	1765
Widgeon, John	Anne Floyd	Matthew Floyd, dec	March	24	1770
Widgeon, John	Esther Ellegood, wid		Aug	22	1772
Widgeon, Joseph	Peggy Russel		Dec	11	1787
Widgeon, John	Bridget Robins		Jan	19	1792
Widgeon, Levin	Susanna Wilson	William Wilson, dec	Sept	13	1777
Widgeon, Severn	Rachel Willis	Isaiah Willis	Nov	25	1778
Widgeon, Severn	Molly Knight		April	30	1791
Widgeon, Thomas	Anne Stockley, wid		March	3	1759
Widgeon, William	Rachel Pitts		April	18	1761
Widgeon, Westerhouse	Nancy Fitchett	Daniel Fitchett	Aug	5	1789
Widgeon, Westerhouse	Sally Widgeon		July	11	1796
Widgeon, Westerhouse	Nancy Costin		March	3	1798
Wilson, Spencer	Frances Watts	Thomas Watts, dec	Sept	22	1774
Wilson, Spencer	Susanna Andrews	William Andrews, dec	Sept	17	1778
Wilson, Spencer	Nancy Stott	Thomas Stott, dec	May	17	1788
Wilson, Stockley	Sarah Wilson		Sept	21	1785
Wilson, Stockley	Smart Wilkins		April	19	1787
Wilson, Samuel	Peggy Custis	Ann Tompkins	March	25	1760
Wilson, William Bishop	Nancy Freshwater		May	17	1790
Wilson, William	Molly Spady	Abraham Spady	Feb	10	1795

Wilson, William W.	Peggy Custis Tompkins		Jan.	14	1795
Wilson, William, Jr.	Adah Pratt		Nov.	18	1797
Willis, George	Jenny Jackson		Dec.	26	1791
Willis, Josiah	Elizabeth White	Levin White	Feb.	18	1788
Willis, Marrat	Sally Freshwater		April	23	1790
Willis, Parker	Sarah Goffigon		Dec.	15	1795
Willis, Parker	Elishe Costin		July	27	1797
Willis, Thomas	Anne Knight		Sept.	1	1792
Willis, Thomas	Elishe Groves	Peter Groves	Aug.	11	1794
Willis, William	Margaret Ellegood		Sept.	1	1775
Willis, William	Smart Dunton	Elias Dunton, dec	Jan.	3	1788
Willitt, Douglas	Henrietta Johnson	John Johnson, dec.	June.	21	1760
Willet, Douglas	Betsey Savage	Abel Savage	Jan.	13	1796
Williams, Azariah	Anne Costin		Aug.	4	1787
Williams, Edward	Sarah Saunders	Richard Saunders	Aug.	7	1778
Williams, John	Edith Nottingham	Thomas Nottingham	Aug.	11	1775
Williams, John	Margaret Glanville		Aug.	17	1787
Williams, James	Margaret Johnson				1787
Williams, John	Margaret Goffigon		June.	12	1793
Williams, Peter	Elishe Dixon		June.	14	1791
Williams, Samuel	Sarah Haggoman		Nov.	7	1753
Williams, Samuel	Sarah Dunton	Levin Dunton	Dec.	4	1784
Williams, Samuel	Margaret Nottingham	Thomas Nottingham	Dec.	12	1772
Williams, Samuel	Sukey Dixon		June.	14	1799
Williams, William	Mary Nottingham	Thomas Nottingham	April	29	1786
Williams, William	Lear Goffigon		Aug.	3	1795
Wilkins, Benjamin	Elishe Willis	Josias Willis	July	26	1775
Wilkins, Eleazer	Rachel Griffith	Nathan Griffith	June.	17	1772
Wilkins, John, Jr.	Catherine Custis, wid.		Sept.	7	1748
Wilkins, John, Jr.	Susanna Stratton	Susanna Stratton	May	18	1752
Wilkins, John (Blacksmith)	Smart Stockley	Woodman Stockley	Jan.	10	1764
Wilkins, John, Jr.	Mary Pettitt, wid		June.	13	1769
Wilkins, John	Sarah Hunt	Thomas Hunt, dec.	Dec.	30	1769
Wilkins, John	Susanna Carpenter		Nov.	15	1786
Wilkins, John	Elizabeth Ellet		March	31	1794

A LIST OF MARRIAGE BONDS—Continued.

MALE	FEMALE	DAUGHTER OF	MONTH	DAY	YEAR
Wilkins, John S	Elizabeth Wilkins	William Wilkins	Nov	10	1795
Wilkins, Major	Adah Fathery		July	22	1769
Wilkins, Major	Mary Guy, wid				1778
Wilkins, Nathaniel	Susanna Wilkins	William Wilkins, Sr	Dec	21	1779
Wilkins, Peter	Elishe Collins		Sept	19	1795
Wilkins, Robert	Elizabeth Harmanson	Henry Harmanson	Nov	4	1793
Wilkins, William	Agnes Stratton	John Stratton, dec	Nov	9	1758
Wilkins, William	Elizabeth Johnson, wid		Aug	11	1773
Wilkins, William, Jr	Frances Benthall	William Benthall, dec	Sept	29	1778
Wilkins, William	Peggy Scott	William Scott	Jan	11	1790
Wilkins, William	Margaret Speakman		March	5	1793
Wilkinson, Stephen	Anne Speakman, wid		Feb	3	1790
Wingate, George	Mary Miller		June	22	1786
Wingate, Jacob	Nice Wilson		March	11	1796
Wingate, John	Sarah Watson	Robert Watson	Feb	27	1760
Wingate, Thomas	Arady Deare	William Deare	Aug	1	1789
Wise, John	Sarah Batson, wid		Jan	2	1765
Wise, Tully	Mary Bowdoin		Jan	11	1795
Wise, Tully R	Mary Fisher		Dec	7	1797
Wise, Johannes	Peggy Dunton		Jan	23	1799
Wood, William	Bridget Batson		June	7	1760
Wood, William	Rebecca Scott		Jan	12	1786
Woodard, John	Rebecca Chandler		June	12	1708
Wright, Thomas	Margaret Belote	George Belote	Dec	16	1793
Yerby, William	Mary Satchell		Nov	23	1782
Young, Richard	Patsey Abdell		Oct	26	1797
Young, William	Mary Darby	John Darby	Jan	21	1748

HISTORICAL AND GENEALOGICAL NOTES.

WILSON QUERY.—Tabitha Wilson was the daughter of Solomon Wilson. In 1749 she married William Freeman, in Norfolk, Va. The younger daughter, Mary, married Dr. Thomas Burke in Norfolk in 1770. He was afterwards Gov. Burke of North Carolina.

Lieut-Col. James Wilson, of Lower Norfolk County, had a son named Solomon, and also a grandson named Solomon. This grandson was the son of Maj. Jas. Wilson. Thomas Wilson, of Princess Anne County, had a son Solomon.

Which one of these three Solomon Wilsons was the father of Tabitha Wilson, who married William Freeman? Whom did this Solomon Wilson marry,—his wife's maiden name?

BYRD.—Concerning the descendants of Addison Lewis (numbered 24 in William and Mary College Quarterly, IX, p. 263), his descendant, Mrs. Mabel L. Jeffries, of Wilmington, Delaware, writes as follows: "Addison Lewis Byrd and Susan Coke, his wife, left four children: William P. Byrd, Rebecca Minor Byrd, Mary Willing Byrd, who was my grandmother, and Addison Lewis Byrd, carpenter and house joiner, who died in Williamsburg in 1856. My great grandfather Addison Lewis Byrd, Sr., was a lawyer, and so was his son, William P. Byrd."

THOMAS LEE.—Information wanted regarding Thomas Lee, who settled in Prince Edward Co., Va., about 1750 or 1760.

Was he a son of Richard Lee, of Ditchley? Did he have a son Thomas, who went to Wythe Co., Va., and afterwards to Hawkins Co., Tenn?

This Thomas Lee's will is dated June 29th, 1816, and is recorded in Hawkins Co., Tenn.

He calls his wife Mary, and his sons Needham and William are witnesses. *Mrs. Peter A. Boyle,* 280 Rhodes Circle, Birmingham, Alabama.

THE IMPOST ACT OF 1781.—The repeal by the Virginia Legislature of the bill granting to Congress the right to levy a five per cent tariff on certain enumerated articles was ascribed by Ben-

jamin Harrison to Dr. Arthur Lee, and Richard Henry Lee. And his authority was accepted by George Bancroft in his history of the Constitution, and yet we are told by Dr. Arthur Lee himself that, while not favouring the measure as an original question, "he alone opposed it (the repeal) and that too on the inexpediency in time." (Elliot's Debates V, 34.)

LAND BOOM IN RICHMOND, 1813-1818.—"This year (1813) is memorable for the beginning in Richmond of the land mania; it continued to increase until the spring of 1817 and in the summer of that year began to decline and died about the latter end of 1818. This mania was one of the most fertile causes of the ruin of Richmond."—Diary of Charles Copland, the lawyer.

DESTRUCTIVE WOLVES.—On complaint of the destruction perpetrated by the wolves on cattle and hogs leave is asked by the justices of Lord Effingham to levy 200 pds for encouraging the killing of them. Loncaster Co. Records, Oct. 10, 1688.

MARMADUKE JOHNSON.—At a court &c. for Brunswick County, third day of June, 1736, Bruce Henry Embrey, Richard Burch, William Wynne, John Duke and Nicholas Lanier, Gent. John Scott, Gent., produced a lycense to plead as an attorney, which was read and the oaths appointed by law were administered to him. Also Marmaduke Johnson, from Ireland about twenty years ago, came into Court and made oath that he never made use of his importacon Rite, and that this the first time, which is ordered to be first certified.

HANSFORD.—In St. Paul's Churchyard, Norfolk, is the tombstone of "Cary H. Hansford, M. D., Obit., 29, Oct., 1801, Aet 42." He was a son of Lewis Hansford, who married Ann Taylor (marriage bond Oct. 3, 1753—*Lower Norfolk Co. Antiquary,* III, 99.) Lewis Hansford was a descendant of Thomas Hansford, who suffered death in Bacon's Rebellion. He was a son of William Hansford, of York County. He had a daughter, Ann Blaws Hansford, who married Dr. Philip Barraud, of Norfolk. (See "Old Kent of Maryland," p. 171; Virginia Historical Society Collections, XI.

THE STORY OF A BIBLE.—Some years ago a Bible which had been at his Hampton residence (his main plantation "Sherwood Forest" was fifty miles further up James River) was restored to

the family of ex-President John Tyler by a gentleman in New England, into whose hands it had lately fallen. The book has the following written on a paper pasted on the inside of the front cover:

"Hampton, Va., May 22nd, 1861

I Belong to Ex-President Tyler And was Stolen from his Residence at Hampton Va on the 22nd of April During the War of 1861 By a member of Company B Third Regiment of Mass Volls. Therefore handle me with Care Signed Holly Bible.

Hampton Va May 22nd 1861"

On a slip pasted in the inside of the back cover is written: "Presented to George H. Atwood from his friend Daniel Lucas of Co. B 3rd Regt Mass Vols."

In another place is stamped: "George H. Atwood, Plymouth, Mass., 10th Co., H'vy Art'y."

STRATTON NOTTINGHAM

GENEALOGIST

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Vol. II. No. 2. OCTOBER, 1920

Tyler's Quarterly Historical

and

Genealogical Magazine

Editor: LYON G. TYLER, M. A., LL. D.

Tyler's Quarterly Historical and Genealogical Magazine

Vol. II. OCTOBER, 1920. No. 2.

NOTICE

Owing to an error, the pages of the July issue were numbered as in continuation of the last volume. The paging of this October issue proceeds as if the July issue was correctly numbered from 1 to 72.

Owing to the high cost of printing, the editor finds it necessary to advance the price of this magazine, beginning with the July number, 1920, from $3 to $4 per year. Single numbers will be sold at $1.25.

As back numbers of the old William and Mary College Quarterly, which was the original name of the present magazine, have become very scarce, single copies, as far as had, may be obtained for $2 a-piece.

Address all communications to LYON G. TYLER, 711 Travelers Bldg., Richmond, Va.

CONTENTS

Paroles and Oaths of Allegiance 73
Virginia and the Revolution 76
The Negro as Suppliant and Contraband 78
Some Notes from "The Memorial of Benjamin Ogle Tayloe" 80
American Gentlemen of the Olden Time, Especially in Maryland and Virginia 85
Slavery and Freedom 98
Life in the Old South 101
Hardings of London and Virginia 104
Removal of the Florida Indians 111
Burton Memorandum 113
Flowerdew Hundred and Sir George Yardley 115
The Goodriches of Isle of Wight County, Va. 130
Noland-Harrison-Powell-Gilmer—Records from Family Bible 132
Diary of Richard N. Venable 1791-92 135
Historical and Genealogical Notes 139
Book Reviews 142

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PAROLES AND OATHS OF ALLEGIANCE.

During the American Revolution the British commanders had a way of taking paroles of the inhabitants in occupied territory in the manner practised often with the commissioned officers when prisoners. In consequence of this custom, whole communities became incapacitated from serving against the enemy. This practice deviated from the principle fairly recognized at international law that residents of conquered territory are expected to submit quietly and peaceably to the rule of the conqueror. But by his parole the citizen was converted into a neutral instead of into a passive enemy able to take up arms when the immediate authority of the conqueror was withdrawn.

A parole, however, asserted no claim to allegiance, but rather recognized the contending person as an equal belligerent. Historians say that Sir Henry Clinton made a great mistake, when, on the assumption that South Carolina had been re-annexed to the British crown, he issued on June 3, 1780, a proclamation abrogating all former paroles and converting all persons who had taken them out into liege subjects of Great Britain, subject to the penalties of treason.

The result was the great rising of the people of the State, who had voted against taxation without representation but were lukewarm, when it came to breaking up the great British union. This rising in South Carolina may be almost said to have occasioned the success of the American Revolution, for it brought the real spirit of Carolina to the front after the regular army of the continent was

dispersed at the battle of Camden. It aroused the fierce and irresistible action of the invincible inhabitants of the mountains, and gave to the war Marion, Sumter and Pickens and the victory at King's Mountain.

During the War between the States (1861-1865) the Federal authorities pursued an even more drastic policy than the British. Both governments started out with characterizing resistance as rebellion and denounced the penalties of confiscation and death. Both, however, had to recognize the war in which it was engaged as a strife between equal belligerents. Exchange of prisoners took place and various other dealings which recognized the existence of an international war. But when, however, British or Federal commanders obtained a success, each was ready enough to recur to the old attitude of authority. The Federal government, unlike the British, however, resorted to the imposition of an oath of allegiance on all persons of both sexes above 16 years of age. It is true that the persons might refuse to take the oath—but the penalty in that event was to be sent outside the lines—probably to court starvation.

Calling a man a liar, however, does not make him one, and calling him a rebel affects him just as little. Properly speaking a struggle ceases to be a rebellion when it requires an army to put it down. The question between the North and South was only determinable by the issue, and while the war lasted Lincoln had no more right at International Law to impose an oath of allegiance in districts of the South overrun by Federal armies than the Confederacy had to impose one on the people of Pennsylvania at the time of Lee's invasion.

The objection to oaths of allegiance during the Confederate War was similar to that urged by Gen. Nathanael Greene to private paroles. Greene, in his negotiations with Lord Cornwallis for an exchange of prisoners, objected to private paroles and urged the incapacity of the citizen to renounce his social obligations by contract with the enemy unless sanctioned by a public officer.[1]

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[1] Lee, *Memoirs of the War in the Southern Department of the United States*, 1827, p. 82.

The mere fact that Cornwallis chose to regard the American contest as a rebellion did not alter the case so long at least as Americans had the power to fight. And the international law looks at it in this practical way, and gives no preference to either side in an armed contest.

VIRGINIA AND THE REVOLUTION.

That the American Revolution could not have been brought to a successful issue without the aid of Virginia is evidenced by Smollett in his continuation of Hume's History of England. In this work he declares that tobacco, Virginia's staple crop, was the chief foundation of the credit of these States in Europe, and he mentions the immense importance of the trade of the Chesapeake Bay with the West Indies, which was kept open by the Virginia Navy. His statement is confirmed by a narrative published in the *Virginia Historical Register*, evidently the work of Sir George Collier, who with General Matthews invaded Virginia in 1779.[1]

It appears that Sir George Collier, who had been Governor of Nova Scotia, was appointed by the British Government to succeed Rear Admiral Gambier as commander in chief of all his Majesty's shipping in America. The narrative describes how, out of a noble fleet of near 100 men of war, under the command of Lord Howe, who preceded Gambier, the major part had disappeared through accident, the fortunes of war and recalls to other stations. So that to remain on the defensive appeared to Sir George as certain to subject the surviving vessels to extermination by the numerous American privateers that infested the creeks and rivers. He found it necessary to act with his present force at once, and he naturally desired to deliver the most effective blow.

The narrative says that "the way which seemed most feasible to end the Rebellion was cutting off the resources by which the enemy carried on the war; that these resources were principally drawn from Virginia by her trade in tobacco &c.; that an attack on that province and the shutting up the navigation of the Chesapeake would probably answer very considerable purposes; and if not of itself sufficient to end the war, would drive the rebels to infinite inconveniences and difficulties, and especially as Washington's

[1] Virginia Historical Register, Vol. IV, 181-195.

army was constantly supplied with salted provisions sent by water through the Chesapeake."

These were the conclusions he imparted to Sir Henry Clinton, and an expedition left New York composed of 1,800 regular troops with artillery, &c. The fleet was commanded by Sir George Collier and the army by General Matthews. The fact appears to be that it was eminently successful. Norfolk and Portsmouth had the best marine yard in the States, and this was destroyed with many ships on the stocks. The whole number of vessels taken and destroyed during the 24 days the king's ships were in Virginia was one hundred and thirty-seven, while the destruction of supplies of all kinds—tobacco, pork, tar, merchandize, planks, masts and cordage,—amounted to a million pounds sterling. This was a large sum for those days.

But Clinton, who was in tight quarters in New York, could not spare the troops for long, and so after the brief stay mentioned the expedition returned to New York. Sir George Collier, who had conducted himself with the utmost energy in Virginia, lodged a protest with Sir Henry Clinton that in withdrawing the troops he gave up the very best chance of starving Washington's army, and putting a stop to the war.[2]

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[2]In his testimony before the committee of the House of Commons Joseph Galloway said that Washington's Army at Valley Forge in 1778 was principally supplied with provisions from Virginia and North Carolina by way of Chesapeake Bay. This doubtless was the reason that the Virginia troops at Valley Forge were better clothed than the troops from other States.

THE NEGRO AS SUPPLIANT AND CONTRABAND.

During the American Revolution four negro slaves fled from their owner, William Armistead, of "Hesse," in Gloucester Co. (now Matthews) to the British fleet in Hampton Roads, whereupon Gov. Henry and his council passed the following resolution:

"In Council, 13 May, 1779.

Permission is hereby given to Captain Peter Bernard to go with a flag of truce on board his Britannic Majesty's ships now in Hampton Roads, and make application to the commander-in-chief of the British squadron to obtain the restitution of four negro slaves, said to be on board one of the British ships, and belonging to William Armistead, Esquire, of Gloucester County, and run away from him.

P. Henry."

Pursuant to this authority a party of three, including, it is to be supposed, Capt. Bernard, presented themselves under a flag of truce and were admitted on board the *Raisonable*. But Commodore Sir George Collier caused it to be signified to P. Henry that "the business of his sovereign's ships in Virginia was neither to entice negro slaves on board nor to detain them if they were found there. Nevertheless, his Majesty's colors in all places afforded an asylum to the distressed and protection upon supplication." (Virginia Historical Register, IV, 191, 192.)

During the Confederate War a similar case occurred. In 1861 three slaves belonging to Col. C. K. Mallory, of Hampton, fled from Sewell's Point to the protection of Gen. B. F. Butler at Point Comfort. Major John B. Cary, then in command of the Virginia militia at Hampton went under a flag of truce to reclaim them as private property. But General B. F. Butler declared the negroes "contraband of war," and refused to give them up. (See "Butler's Book," 262-264.)

Somehow the words of the British commander sound better than the words of the Federal commander, which became very popular in the North. But it is interesting to observe how in this matter as in other matters, the Federal Government during the War between the States, came to adopt the position of the British Government in the American Revolution.

However, the morality of the slaves episode was not wholly against Virginia. She was the first State in the world to impose penalties for engaging in the slave trade (1778). And when the British government directed the Colonial governors to veto any measure restricting the importation of slaves; and, when later, through a combination of the New England States with the extreme Southern States, a clause was put into the Federal Constitution inhibiting the National Congress for twenty years from prohibiting the slave trade, Virginia, through her regularly constituted authorities, registered a protest in each instance.

SOME NOTES FROM "THE MEMORIAL OF BENJAMIN OGLE TAYLOE." *

Among the poems written by eminent men for Mrs. Tayloe's Album is one from President Andrew Jackson:

> **Let wisdom all my actions guide**
> **And let my God with me reside,**
> **No wicked thing shall dwell with me**
> **Which may provoke thy jealousy.**

In the summer of 1822 Mr. Tayloe made a visit to Boston, and with his brother, Edward Thornton Tayloe, then a student at Harvard, Judge Winston, a relative of Patrick Henry, and some others called upon the venerable Ex-President, John Adams, at his residence in Quincy. They were introduced by the Hon. Josiah Quincy. In the course of the conversation Judge Winston inquired of Mr. Adams if he had ever heard such an orator as Patrick Henry? Mr. Adams tried to avoid a direct answer: at last he said with a significant smile: "Virginia geese are all

*This is a very rare book, as it is said only a limited number of copies were published. It was compiled in 1872 by Winslow M. Watson principally from papers and memoranda left by Benjamin Ogle Tayloe. Mr. Tayloe was born at Annapolis, Maryland, in the house of his maternal grandfather, Governor Benjamin Ogle, on the 21st of May, 1796. He was second son of Col. John Tayloe, of Mount Airy, in Virginia, and Anne Ogle, his wife. Mount Airy, the residence of Col. John Tayloe, erected in 1758, was at the time the most superb mansion in Virginia, and many think it continues such. Benjamin Ogle Tayloe was educated at Phillips Academy, Exeter, in New Hampshire, and at Harvard College. He travelled extensively in Europe and was intimately acquainted with the distinguished men of both continents. He resided first in King George County, Virginia, and afterwards in Washington, where he dispensed a princely hospitality. By the Civil War Mr. Tayloe lost half a million of dollars. He died February 25, 1868, at the age of seventy-two.

swans," and pointing to Mr. Quincy, said: "I have heard a hundred speeches from the father of that gentleman much more eloquent than I ever heard from Patrick Henry." He said further, that in the meeting of the first Congress it appeared the Southern gentlemen were the best speakers, and it was expected they would lead in everything, but at best the Northern men did the work."

In allusion to this assertion, Mr. Tayloe remarks in his note book: "I am not disposed to regard Mr. Adams as an impartial witness. He corrected a person who said, 'General Washington and you.' 'No, sir, *I* and General Washington. *I made* General Washington.'"

"Governor Marcy, after his retirement from office, related to me many anecdotes in connection with his public life. He had no respect for the character or capacity of President Polk, and asserted that he was very hostile both to General Scott and General Taylor, and that but for himself General Scott would not have had command of the army in Mexico. Governor Marcy plainly told Mr. Polk that as Secretary of War he would not intrust his own reputation to any other general. 'If you will get Colonel Benton's assent, I will appoint him,' said Mr. Polk. Governor Marcy then called upon Colonel Benton, and informed him he had been sent by the President to inquire what general he thought ought to have the command. Benton began with the lowest on the army list, to each of whom he answered alike, "He will not do," referring among others to Worth, Wool, Jesup, Taylor, condemning all until he came to Scott. About him Governor Marcy made no inquiry, but merely remarked, 'You have condemned all but General Scott,' and returned with the statement to the President, who at once appointed Scott to the command of the army in Mexico. The sequel is known.

After the battle of Cerro Gordo, the news of which reached Washington on a day when President Polk had a reception, Colonel J. Graham, who attended it, congratulated the President on the glorious news. His response was, 'Our brave fellows conquer under any kind of leader.'"

"I heard Daniel Webster speak with scorn of both the Adamses. He remarked, 'They had been faithless to their friends and their principles, and had no more sense of gratitude than a cat.'*

"It was my good fortune to hear several of Webster's table-talks, in the Johnsonian style, some Boswell setting him off. He spoke in monologue, narrating anecdotes. Here is one:

"One morning in London, after a breakfast with Rogers, he left the house in company with the celebrated Sydney Smith, and as they passed the door of Lord Brougham, Smith proposed a call, to which Mr. Webster assented. On entering, Smith introduced Mr. Webster as 'Mr. Clay.' Now Mr. Clay had lately denounced Lord Brougham in the United States Senate. Mr. Webster said, 'Lord Brougham did not say a word to Mr. Clay, nor Mr. Clay to Lord Brougham.' Smith and Webster continued their walk together, and their talk, into St. James's Park. Suddenly the former became silent, and then asked Mr. Webster, 'Did not I introduce you to Lord Brougham as Mr. Clay?' 'Certainly, you did,' said Webster. Smith soon afterward made an excuse for leaving Mr. Webster, and when the latter returned to the hotel, he found Lord Brougham's card inscribed 'for Mr. Webster.' Afterwards he had intimate and most agreeable relations with Lord Brougham.

"My opulent and munificent friend and neighbor, Mr. William W. Corcoran, after the perusal of Webster's celebrated March speech in defence of the Constitution and of Southern rights, inclosed to Mrs. Webster her husband's note for $10,000 given him for a loan to that amount. Mr. Webster met Mr. Corcoran the same evening, at the President's and thanked him for the 'princely favor.' Next day he addressed to Mr. Corcoran a letter of thanks, which I read at Mr. Corcoran's request."

"Colonel Byrd, of Westover, in Virginia, was in London during the reign of George the Second, and took, in a club-house there, a bet for ten thousand guineas on a card, offered by the Duke of Cumberland, the King's son, and commander-in-chief of the army.

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*John Quincy Adams, in his Diary, gave Webster tit for tat and spoke with utmost scorn of Webster's character.

Byrd won the bet, and retired from the table. Before separating, the Duke said to him, 'You are a stranger to me, and we have a rule of the club, as you may not know, that no bet is paid until it is ascertained that the winner could pay in case of losing. Will you therefore be so good as to refer me to your banker?' 'Certainly, your Grace,' replied Byrd, 'and I consider the rule a very proper one.' Byrd at once wrote a note referring the Duke to his banker, which was promptly answered, 'I will accept Colonel Byrd's draft for ten thousand guineas, or for ten times the sum.' General Scott adds to the above that the Duke avoided the payment of his debts of honor when allowed to do so. This, Byrd would not permit, and as the Duke delayed payment, had it intimated to him that he was ready to meet him in the field, and would expose him if he did not pay the money, which was paid."

"I had the honor of a somewhat intimate acquaintance with the Hon. Christopher Hughes, of Baltimore, who represented this country at Stockholm, Copenhagen, and the Hague. * * * When Envoy to Holland, the King who had lost Belgium by conquest, expressed his regret to Hughes to learn that he wished to go there. 'Your majesty would go there yourself if you could,' was Hughes's reply.

"When at Ghent, Mr. Hughes met, at his lodgings, Mr. John Quincy Adams, the tears dropping from one of his eyes from an infirmity he had, at the time asking the chambermaid to do some little service in the room for him, and reported to Mr. Clay that 'he had met Mr. Adams with tears in his eyes, entreating the chambermaid.' Mr. Adams took no offence, Hughes being always in high favor with him, 'the best *diplomat* abroad,' as Adams used to say.

"In England, Hughes met the Duke of Wellington at the Marchioness of Wellesley's, who introduced them. Not long after they met at Almack's. Hughes threw himself repeatedly in the way of the Duke without being noticed. At last he went boldly up to him, saying, 'My dear Duke, you don't recognize me.' 'Yes, I do, sir; you are Mr. Hughes, of Baltimore,' said the Duke, in a tone so cold and decided that Hughes, like others discomfited by the Duke

of Wellington, could not come again to the charge. This was perhaps the most mortifying event of his life.

"Hughes, in after years, offended another great military chieftain. On meeting General Scott, soon after the 'hasty plate of soup' letter, Hughes remarked, 'You ought to be promoted, made a Marshal. You are already a Marshal Turenne.'

"When Mr. Madison (in his old age, and very feeble) was reposing on a sofa at Montpelier, he asked a friend to take a chair near him, with the remark, 'strange as it may appear, I always talk better when I *lie.*'

"Mr. Madison was something of a humorist, a man of refined wit, and a capital talker."

AMERICAN GENTLEMEN OF THE OLDEN TIME, ESPECIALLY IN MARYLAND AND VIRGINIA.

By Benjamin Ogle Tayloe.*

It is to be regretted that old men do not more frequently give you and your readers the benefit of their recollections. Something of the sort, treasured up among my reminiscences, either coming under my own observation or traditionary, will perhaps interest some few of your friends.

An article in your paper expatiates on the illustrious lineage of our equestrian aristocracy. I will confine myself to that of some few gentlemen (such as were so in the strict acceptation of the term) named in the article referred to, and those connected with them; that if "blood," from remote ancestry, causes additional respect on the other side of the Atlantic, it may be understood there that some of our Americans are descended from the very best blood of England. Cotton Mather has aptly said, it required the seed of all Europe to produce the American of this country. Has not Miss Martineau said something of the kind? The pedigree of Washington has been published, showing his descent from the royal Plantagenets. This may augment the respect entertained for his memory in England, but nothing of the kind can add to the veneration of his own country. Washington was one of nature's noblemen. We have others without the advantages of birth.

*Reprinted from "The Memorial of the late Benjamin Ogle Tayloe," compiled by Winslow M. Watson, 1872. It was first written by Mr. Tayloe, and was contributed by him to the New York *Spirit of the Times*," in 1851. Though not always strictly accurate in its statements, the article is a valuable one, because of its coming from a man best calculated to describe that splendid and spectacular aristocracy that adorned the Society of Virginia and Maryland in colonial times. He was himself one of them and moved in the highest circles after the national character had begun to wipe out the provincial differences.

But there are families in our land whose lineage, it is believed, can be traced to an earlier origin even than that of the Plantagenets, especially that of the Cadwaladers, of Pennsylvania, sprung from a very ancient race in Wales. In this country it has been distinguished for its high chivalric character, at least for the last three generations. The grandfather of the present General Cadwalader (one of the heroes of the war with Mexico) is an historic name of our Revolutionary War. He was the warm personal friend and companion in arms of Washington, whose wrongs General Cadwalader avenged, according to its desert, upon General Conway. The late General Cadwalader, son of the first, was the Chevalier Bayard of his day—a most accomplished gentleman, *"sans peur, sans tache!"* His beautiful sister was married to the present Earl of Buchan, known in this country as the Hon. David Erskine, son of the eloquent Lord Erskine, the great advocate, &c., and H. B. M. Minister to the United States about the close of Mr. Jefferson's administration.

It has been stated in your paper that "long before Braddock's defeat" there was racing of a distinguished character in Maryland, in which "Governors, Councillors," and other of the first gentlemen participated. The association was so exclusive as to give to the members of the Jockey Club a special mark of consideration; as at a later period, at Charleston, South Carolina, when such unmistakable gentlemen as the Pinckneys, Rutledges, Hugers, Heywards, Izards, &c., were its members, at the time when General William Washington, General Wade Hampton (whose son has so gracefully succeeded to his honors), General McPherson, Colonel Allston, &c., trained and ran their own horses. With these gentlemen, as those of the more "olden time" in Virginia and Maryland, racing was a mere pastime, never pursued in a way to materially increase or diminish the fortunes of the opulent gentlemen engaged in it. They were willing to be only at such cost as they could readily afford with their horses and dogs, as is still the case with some of the nobility and gentry of England. Our gentlemen of those days were as elevated in character and as refined in manners as the nobles of Great Britain, who have most honorably sustained the turf in that kingdom.

In colonial times, the Governors appointed by the Crown, were very generally of aristocratic birth and bearing. Governor Sharpe's name has always been cherished with respect in Maryland. Governor Samuel Ogle presided over the colony from 1732 to 1742, and from 1744 to 1752, his father-in-law, Colonel Tasker, acted as President of the Council during the absence of the Governor in England, his administration having closed with his death at Annapolis. As Governor Ogle had, by marriage and otherwise, so closely connected himself with Maryland, a reference to his illustrious lineage will not be out of place. He was descended from the Ogles of Northumberland, of whom it is stated, in Scott's "Border Antiquities," in the account of Bothwell Castle, that "the Barony of Bothwell belonged for several centuries to the family of the Ogles, a race of great antiquity in the county of Northumberland, where they possessed an extensive property before they succeeded to the Bothwell estate." In Hexham Abbey "is the tomb of Sir Robert Ogle, with the arms of the Bertrams and Ogles quartered, and an inscription in brass dated 1404. These were ancient families in Northumberland; the Ogles owned seven Lords and thirty Knights of their race, having large possessions in the northern parts of the kingdom before the Norman Conquest." "The seventh and last Lord Ogle," having no son, his daughter Catharine "was created Baroness Ogle." She married Sir William Cavendish, afterwards the Marquis of Newcastle. The husband of his only daughter became the Duke of Newcastle, whose only daughter married the Earl of Oxford and Mortimer, and at length the possessions of the last Lord Ogle descended in the female line, through another only daughter, to the husband, "the Duke of Portland, in which family they now remain."

The male line of the Tasker family has been many years extinct. Their monuments are yet to be seen in the churchyard at Annapolis. A most beautiful, classic, and costly monument (from the chisel of Bailey), to the memory of "Ann Tasker," mother to the wife of Governor Ogle, had been erected, by one of her munificent and filial descendants, within the church at Annapolis, but when that structure underwent a change, some few years ago, the monument was removed, and I have never heard of its restoration.

I trust that act of justice, if not done, will not be long postponed. This monument, to an artistic eye, was the chief object of interest in all Annapolis.

But to proceed with our review of the gentlemen named in the article, we next come to a reference, in 1752, to "Colonels Tayloe, Byrd, and Thornton." The first was styled "The Honorable Colonel John Tayloe," of Mount Airy, in the county of Richmond, in Virginia—a gentleman who owned extensive landed possessions along the Rappahannock and Potomac Rivers, and was a member of the Council, under the Crown, with Lord Dunmore, and of the first Republican Council, during the administration of the patriotic and eloquent Patrick Henry. He died in 1777. (His son, the late Colonel John Tayloe, so well known to the readers of your paper, inherited his landed possessions, and at the instance of his hereditary friend, General Washington, built his town house in the city of Washington, where he died about twenty years ago. The last Colonel Tayloe married the daughter of the second Governor Ogle, the son of the first, as above mentioned.)

Colonel William Byrd, of Westover, on James River, had associated with the nobility of the highest rank in England, and had in himself every claim to be regarded as a nobleman of his own land. He had rare endowments and accomplishments. It has been said of him, that, when quite a youth, at Brooks's, or a kindred establishment, in London, he won on the turn of a card, from the Duke of Cumberland, £10,00 sterling, with which he defrayed the expenses of an extensive tour in Europe, engaging in no game of chance until many years afterwards. Yet, from play, he died a bankrupt. *"C'est le premier pas qui coute."* "Byrd's lottery" will be long remembered. He owned the site of the city of Richmond, and presented to the state its public grounds there. His was said to be the best private library in the country, through which it was diffused after his death. There is still to be seen at Westover, Mount Airy (though the main building has been partially burnt), Shirley, Stratford, and other of these baronial halls of "olden time," with their broad acres, the remains of the lordly magnificence of other days. At Westover, its former hospitality is still enjoyed, as most generously dispensed by Mr.

Selden, the grandson of Hon. Miles Selden, member of the Council of Virginia some fifty years ago, at a time when he was a distinguished leader upon the turf.

Hill Carter, Esq., as is well known, most worthily fills the place of his ancestors at Shirley, as does William H. Tayloe, Esq., at Mount Airy. The present year, about forty thousand bushels of wheat are said to have been produced on the Shirley estate. Not far from it is Berkeley, the seat of Governor Harrison, where his son, our lamented President, the late General Harrison, was born; which is still occupied by one of the family, as also the Upper and the Lower Brandon. In the former is to be seen the portrait of William Byrd, and I am told in the Wormeley family is preserved a portrait of the late "Ralph Wormeley, of Rosegill," on the Rappahannock, near Urbanna, by Sir Joshua Reynolds. He is represented in his robes as a student at Cambridge. He bore off the highest honors of the University. He and his connection, Grymes, ancestor to the distinguished barrister of that name, at New Orleans, were the pride of the headmaster at Eton. Inheriting a large estate Mr. Wormeley became a gentleman of high standing and influence in the Colony, son-in-law to the first Colonel Tayloe (as mentioned above), and a member of the Council, with him, under Lord Dunmore. But, unhappily, his bias was in favor of the Crown, on its separation from the Colony. Stratford now stands in the midst of desolation, in Westmoreland County, a monument of the magnificence of "President Lee," by whom it was built, while he was at the head of the Council, during the absence of the Governor.

Most of these gentlemen had been educated in England, as were some few at a later period, such as Francis Corbin, Esq., of the Reeds, another gentleman of aristocratic birth, whose cultivation of mind and manners, with graces that would have charmed a Chesterfield, as inherited by his son of the same name, would have made him an ornament and a man of mark in any court of Europe.

Some derision has been cast upon the "F. F. V.'s"—said to belong to "the first families of Virginia," but it is very certain that those named, who were the basis to these pretensions, were gentlemen of no ordinary merit, as were also the Randolphs, the

Nelsons, the Pages, the Burwells, &c., &c., of the days of our Revolution.

I do not exactly know which Colonel Thornton it was we find named in the article under review. If of Northumberland House, he was the father of the present Lieutenant-General Sir Edward Wade Thornton, H. B. M. A. The family espoused the royal cause in 1776, and went to England. Sir Edward distinguished himself in Flanders (where he lost an arm), under the Duke of York; and was afterwards equerry to the Duke of Cumberland, the present King of Hanover.

We come next to Samuel Galloway, Esq., a gentleman of opulence and respectability in Maryland; whose descendant, the lady of Colonel George Hughes, of our Army, now resides at the venerable ancestral mansion, Tulip Hall, on West River, near Annapolis.

Colonel Lloyd's name is next introduced. He was a gentleman of great wealth, and married the eldest daughter of Colonel Tayloe. She was a lady of such rare worth, that on her death, some twenty years since the Legislature adjourned, by resolution, for the purpose of attending her funeral. Colonel Edward Lloyd, of Wye, in Talbot County, on the Eastern Shore of Maryland, was the father of the late Governor Lloyd, a United States Senator; and grandfather to the present Colonel Edward Lloyd, who has succeeded to the landed estate of his ancestors; on which, at this time, it is said, from thirty thousand to forty thousand bushels of wheat are raised annually. The "Lloyd House," at Annapolis, cannot fail to arrest the attention of any stranger. But it has passed out of the family.

Captain Byrd Willis, of Fredericksburg, has been too recently among us—a representative of the warm-hearted, fun-loving, and the true old Virginia gentleman—to require more than a passing notice. His beautiful daughter, the present Madame Murat, was married to a nephew of the Emperor Napoleon, Colonel Achille Murat, son of King Joachim.

In running our eye along the James River, a little below City Point, it falls upon Claremont, the residence of Mr. Allen, who succeeded to the estate, some six or more plantations, containing together about forty thousand acres, of the late Colonel Allen, one

of the last gentlemen of opulence in Virginia whose horses graced the turf. His celebrated mares, Vanity and Reality, own sisters, were trained by the late Mr. W. R. Johnson, of such turf celebrity as to need no further mention by me.

I ought not to omit a notice of Mr. De Lancey, of New York—another gentleman of the old school, connected with the best blood of England. The present Bishop De Lancey is of his family; also the wife of J. Fenimore Cooper, Esq.

Having thus run over, in review, the article you have published, I have to apologize for occupying so much of your space and time, with the garrulity of age, and on subjects perhaps of but little interest to "Young America," that is going ahead in the race of progress, "under any kind of leaders," unmindful, if not forgetful, of ancestry, of which some may be proud, as not owing their elevation to others, but to their own efforts.

But the Hon. D. Webster says: "It is wise occasionally to recur to the sentiments and to the character of those from whom we are descended. Men who are regardless of their ancestry and of their posterity, are very apt to be regardless of themselves. The man who does not feel himself to be a link in the great chain to transmit life and being, intellectual and moral existence, from his ancestry to his posterity, does not justly appreciate the relations that belong to him. The contemplation of our ancestors and of our descendants ought to be within the grasp of our thoughts and affections. The past belongs to us by affectionate retrospect, and the future belongs to us no less by affectionate anticipation of those who are to come after us. And then do we ourselves justice, when we are true to the blood we inherit, and true to those to whom we have been the means of transmitting that blood."

The author of "What is Gentility?" remarks, on the subject of our aristocracy, that it ought to be regarded as having its origin with the patriots of the Revolution, from whom all should be proud to trace their descent.

The best description of a gentleman, according to my understanding, of the term, is found in the 15th Psalm of our Prayer-Book: "Lord, who's the happy man," &c.; or, if not so elevated,

one who respects the rights and the feelings of others as he would his own.

As an accomplished and graceful man, the late King George IV, of England, was proud to be regarded "the first gentleman in his dominions."

For one, I would wish to see revived the days of gentlemen of the olden time, as nearly as they can be approached under existing circumstances.

II.

My former article concluded with the remark of a "wish to see revived the gentlemen of the old school," whose words were as their bonds. Their truth, their honor, and their integrity, were not to be questioned. Courage, generosity, and hospitality, were their sterling virtues. The distinguished Gouveneur Morris, of Morrisania, near the city of New York, who was a gentleman by birth, education, and the most lofty bearing, on being asked for the definition of a gentleman, replied, in the words of the Psalmist:

"'Tis he whose every thought and deed
By rule of virtue moves;
Whose generous tongue disdains to speak
The thing his heart disproves.
Who never did a slander forge,
His neighbor's fame to wound;
Nor hearken to a false report
By malice whispered round.

Who vice in all its pomp and power
Can treat with just neglect;
And piety, though clothed in rags,
Religiously respect.
Who to his plighted words and trust
Has ever firmly stood;
And, though he promise to his loss,
He makes his promise good.
Whose soul in usury disdains
His treasure to employ;
Whom no rewards can ever bribe
The guiltless to destroy."

[This Psalm was copied by Mr. Jefferson, in the smallest hand and neatest manner, in his commonplace book.]

In our trading and money-loving community how many can stand this test? It is to be feared that but few gentlemen are to be found, according to this standard, among our merchants, lawyers and politicians. However refined may be their manners, or however great and varied their accomplishments, it seems indispensable to the character of a true gentleman that he should respect the rights and the feelings of others; to do to them "as you would they should do unto you."

Having touched upon some few of the gentlemen of Virginia of "the olden time," I am prompted to furnished you with an extract from a late letter from "an old lady," dated "Locust Farm, Westmoreland County, Virginia," respecting "the birthplace of the Revolutionary heroes of Virginia:"

"I am now away down here in the Northern Neck of Virginia, and not far from the spot on which Washington was born; and scattered here and there, and all around me, are the birthplaces of Madison, Monroe, and Richard Henry Lee. Yesterday I was on the ground on which rest the ruins of (Chantilly) the residence of Richard Henry Lee. All that stands upright of that (once) imposing mansion is the kitchen chimney. In front, scarce half a mile distant, is the shore of the lordly Potomac, here about nine miles across, upon whose beach roll its billows. Lee is gone, his house is in the dust, his garden a wild; but here are the same sky, the same lands, the same Potomac, and the same dirge that of yore broke in murmurs on the shore. The remains of Lee lie in the midst of a cornfield, some five miles distant, over which, I am told, is a stone, with his name engraved upon it. What a leveller is Time! Talk of that ancient personage as you may, his footprints, although as soft as down, crumble the hardest substances, and bury all things. 'Where is Carthage?'

"From a ride over the grounds once cultivated by Lee, we took the road home by the old Yeocomico Church. I wish I could send you a drawing of the inside as well as out. It was built 'Anno Domini 1706,' some twenty-six years before the birth of Washington * * * What a ruin is this church! It would seem, to look

at its glazed and unglazed bricks, its many timbers, and its brick door and passage-ways, that Time could not in a thousand years have worked so mighty a change in it. But it has required only the years I have named to effect so signal a change. The tombstones mark the spot where the dead lie, and those that remain are so broken up and scattered, and have the inscriptions so effaced, as to render them useless. The name of Carter is on the stone that has suffered the least * * * How melancholy is all this, and what a lesson it teaches * * * Our fathers find their graves in our short memories, and sadly tell us how we may be buried by our survivors. How true it is, as Cowper says:

> "'We build with what we deem eternal brass—
> A distant age asks where the fabric stood;
> But, sifted, alas! and searched in vain,
> The undiscoverable secret sleeps.'"

And who was this "Carter," buried in the Yeocomico churchyard? Was this all that remains of the once mighty "King Carter," of Lancaster, whose lordly domains spread over so many counties, from the highlands above the tidewater of the Potomac to the fertile lowlands of the Rapahannock and James River?* Or, was this the grave of the other patrician, "Councillor Robert Carter" (member of the Council, under the Crown), of Nomini Hall? In the whole Northern Neck, one alone of that illustrious family connection, Colonel Robert Wormeley Carter, of Sabine Hall, on the Rappahannock, still occupies the halls of his ancestors. Three miles from his residence, Sabine Hall, on an eminence overlooking the plantation and an extensive curve of the river, stands Mount Airy, the ancient and beautiful mansion of the Tayloe family, now occupied by a worthy and hospitable member of it, William H. Tayloe, Esq. Higher up on the river, some forty miles, eligibly situated, are the handsome but modern residences of Colonel Edward T. Tayloe, and of the widow of the late Charles Tayloe, Esq. Opposite the latter, on the south side of the Rappahannock,

*The tomb of Robert [King] Carter is at Christ Church, Lancaster Co.

is Port Tobago, the ancient residence of the Lomaxes, now passed into other hands. A few miles lower down is Blandfield, the ancient family mansion of the Beverleys, now occupied by Colonel W. B. Beverley, who unites the blood of the Tayloes and the Byrds with that of Beverley. Lower down the river still, not far from its mouth, the venerable mansions—once the abode of elegance, refinement, high mental culture, and hospitality, and graced by the Hon. Ralph Wormeley, of Rosegill,* and the accomplished Colonel Grymes, of Brandon—have totally disappeared. As the Rappahannock is ascended, on the south side, one meets the stately mansions of the late Paine Waring, Esq., of Essex; and in Caroline County, between Port Royal and Fredericksburg, the fine estates and comfortable houses of the Bernards, the Lightfoots, of Mr. Taylor (the successor to the Hon. John Taylor, of Hazlewood), and of James Parke Corbin, Esq., of Moss Neck. At Fredericksburg the mother of Washington spent her last days, and now sleeps beneath a monument, yet unfinished, that was erected, nearly to completion, through the munificence of a gentleman of New York, Silas Burrows, Esq. Descending from Fredericksburg, the north shore of the Rappahannock, in about twelve miles, is met the land of the Taliaferros, of whom the venerable John Taliaferro, of Hagley, now in office at Washington, was, perhaps, a greater length of time in Congress than any other member of the House; he entered it when Mr. Jefferson came into power, and retired only a few years ago, in the vigor of health and of mind, though an octogenarian. May he long continue to enjoy both, as he does the esteem of his many friends.

But we are wandering from our subject. The Northern Neck was an ancient grant from the Crown to Lord Fairfax. The title became extinct with the death of one who never claimed it, Thomas Fairfax, Esq., of Fairfax County, who died there only a few years ago.† George Washington was descended from this family. The place of his birth, Wakefield, on the Potomac, near Pope's Creek,

*Rosegill, or half of it, still stands. See Meade, 1, 373.

†The title did not become extinct. It descended to Albert Kirby Fairfax, 12th Baron born 1870.

in Westmoreland County, has passed out of the family. No vestige of the family mansion remains, but part of the Washington manor —that which belonged to the elder branch of the family—has descended to Lawrence Washington, Esq., and to a daughter of the late William Augustine Washington. She unites the blood of the Tayloes and of the Bayards, of Delaware, with that of Washington. Three Presidents—Washington, Madison and Monroe—were born in the Northern Neck, between the Potomac and the Rappahannock, within fifteen miles of each other. Not far from the birthplace of Washington was that of the illustrious Lees—Lee of Chantilly, and Lee of Stratford; the latter a lordly mansion described in my last communication. The white and the black Lees, as they were called, to distinguish the families, were so denoted from their complexions. Stratford was the residence of the late General Henry Lee, of Revolutionary fame, renowned in arms, in letters, and for eloquence. His son, Major Henry Lee, of literary distinction, was the last of the family who owned Stratford. The Lee family is a very ancient one, of French extraction, whose name was orginally De Lis. Richard Henry Lee was the most finished orator of the first American Congress. He moved the Declaration of Independence. The neighbor of his youth, Washington, led the American arms to victory! Thus, in Westmoreland County, on the shores of the Potomac, we are truly on classic ground.

Mount Vernon, on the Potomac, where rest the mortal remains of the illustrious Washington, is some thirty miles north of the frontier of the Northern Neck. Not far from Mount Vernon stand the walls of Pohick Church, where Washington worshipped. His pew door was marked with his name, in painted letters. A friend of mine, a few years since, sought this pew door as a valuable relic; it was traced to an old negro's hovel, where it had been used for a hen coop, but not found. "To what base uses! &c. "Why may not imagination trace the noble dust of Alexander, till he find it stopping a bung-hole!" A rat running off with the heart of Napoleon in his mouth!

"Imperious Caesar, dead and turned to clay,
Might stop a hole to keep the wind away."

The Northern Neck of Virginia, and along the tidewater of the Potomac, the Rappahanock, the York, and the James Rivers, was literally, as well as figuratively, in days of yore, the abode of the first families of Virginia; those who were held in the highest esteem there before the Revolution,—the Washingtons, the Fairfaxes, the Lees, the Carters, the Berkleys, the Corbins, the Wormeleys, the Byrds, the Beverleys, the Tayloes, the Nelsons, the Pages, the Burwells, the Randolphs, the Harrisons, the Bollings, &c.

It will be remembered that Peyton Randolph was President of our first Congress, and Benjamin Harrison of the next.

If I have awakened curiosity on these subjects, so as to have more light shed upon them, or shall have gratified any of your readers by my recollections and present knowledge of them, I shall feel satisfied for the trouble I have had.

SLAVERY AND FREEDOM.*

Whether or not the institution of African slavery aided in the development of this highest order of Saxon manhood, has been a disputed question; but we have on record that philosophic testimony of Edmund Burke, which, during the civil war in America, arrested general attention. That great statesman, seeking to dissipate the hope that less resistance to the encroachments of Great Britain would be found in the Southern colonies than in the Northern, uttered this language:

"There is, however, a circumstance attending the (Southern) colonies, which, in my opinion, counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the Northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom, as in countries where it is a common blessing, and as broad and genial as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks among them like something that is more noble and liberal. I do not mean, sir, to commend the peculiar morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the Southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty than those to the Northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all the masters of slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible."

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*From Hodgson, *Cradle of the Confederacy*, 1876. (Mobile, Alabama.)

Throughout the cotton belt, where, at the blast of a horn, the master could be surrounded by a regiment of slaves, the spirit of freedom and domination in the descendants of the Cavaliers and Huguenots was such as to develop the frame and inflame and intensify the pride of the individual to the highest extent known to the human race. Such Herculean deeds of valor as were drawn forth in the terrible conflict which shook the North American continent testified to the sagacity of the English philosopher, and to the manhood of the Southern Saxons.

Nor was this spirit of personal dignity and independence confined to the actual slave-owners. The non-slave-owners, who had been crowded by superior wealth or energy from the rich cretaceous lands of the interior, and from the equally rich alluvium of the rivers, and who had taken up more humble abodes among the hills of North Alabama, or in the pine forests of the coast, felt an equal pride in that distinction of race which made the Saxon a master. With such jealousy did they cherish the spirit of personal liberty and local independence, that the policy which looked to the extremest license of State-rights always found among them the most enthusiastic, the most numerous, and the most persistent supporters. They received no pecuniary advantage from African slavery, and were so careless as to its continuance that at no time were they willing to enter into a war for separation of the States to secure its firmer establishment; but they perceived with that subtle instinct which belongs to the average Saxon, that the overthrow of African slavery would leave in the heart of their State a host of citizens foreign to their ideas, antagonistic to their labor, and cherishing under the influence of designing leaders the fretful jealousy of race—a jealousy which the history of mankind had shown to be the precursor of violent and constant hostility.

These non-slave-holders were not, as has been supposed, the dupes or the deluded followers of the slave-owner. They were so numerous as to control the politics of the State. They gave political leaders to the slave-owners. From their midst sprung men like Patrick Henry, Andrew Jackson, Calhoun and Clay. They gave warriors of renown, at whose head stands Stonewall Jackson. They furnished the rank and file of armies, and concluded with

glorious honor a contest entered into with unanimity, and prosecuted it with unparalleled devotion, gallantry and endurance.

The ancestors of these men had served in the Revolutionary war, and had won the independence of the colonies; an independence which they were so careful not to surrender to a new, overshadowing government that their fears of the proposed Constitution of the United States could only be allayed by the then clearly defined and clearly understood reservations of the annexed amendments.

LIFE IN THE OLD SOUTH.*

Major General Quitman, a native of New York, wrote in 1822, when but a youth, to his father the following description of Southern life:

"Our bar is quartered at different country seats—not boarding; a Mississippi planter would be insulted by such a proposition, but we are enjoying the hospitalities that are offered to us on all sides. The awful pestilence in the city brings out, in strong relief, the peculiar virtues of these people. The mansions of the planters are thrown open to all comers and goers free of charge. Whole families have free quarters during the epidemic, and country wagons are sent daily to the verge of the smitten city with fowls, vegetables, &c., for gratuitous distribution to the poor. I am now writing from one of these old mansions, and I can give you no better notion of life at the South than by describing the routine of a day. The owner is the widow of a Virginia gentleman of distinction—a brave officer who died in the public service during the last war with Great Britain.

"She herself is a native of this vicinity—of English parents, settled here in Spanish times. She is an intimate friend of my first friend, Mrs. G., and I have been in the habit of visiting her house ever since I came South. The whole aim of this excellent lady seems to be to make others happy. I do not believe she ever thinks of herself. She is growing old, but her parlors are constantly thronged with the young and gay; attracted by her cheerful and never-failing kindness. There are two large families from the city staying here; and every day come ten or a dozen transient guests. Mint juleps in the morning are sent to our rooms, and then follows a delightful breakfast in the open veranda. We hunt, ride, fish, pay morning visits, play chess, read or lounge until dinner, which is served at 2 P. M., in great variety, and

*From Hodgson, *Cradle of the Confederacy*, 1876. (Mobile, Alabama.)

most delicately cooked in what is here called Creole style—very rich, and many made or mixed dishes. In two hours afterwards everybody, white and black has disappeared. The whole household is asleep—the *siesta* of the Italians. The ladies retire to their apartments, and the gentlemen on sofas, settees, hammocks, and often gipsy fashion, on the grass under the spreading oaks. Here, too, in fine weather the tea-table is always set before sunset; and then until bedtime we stroll, sing, play whist or croquet. It is an indolent, yet charming life, and one quits thinking and takes to dreaming.

"This excellent lady is not rich, merely independent; but by thrifty housewifery and a good dairy and garden she contrives to dispense the most liberal hospitality. Her slaves appear to be in a manner free, yet are obedient and polite, and the farm is well worked. With all her gayety of disposition and fondness for the young she is truly pious; and in her own apartments every night she has family prayers with her slaves, one or more of them being often called upon to sing and pray. When a minister visits the house, which happens very frequently, prayers, night and morning, are always said; and on these occasions the whole household and the guests assemble in the parlor; chairs are provided for the servants. They are married by a clergyman of their own color; and a sumptuous supper is always prepared. On public holidays they have dinners equal to an Ohio barbecue; and Christmas, for a week or ten days, is a protracted festival for the blacks. They are a happy, careless, unreflecting, good-natured race, who, left to themselves, would degenerate into drones or brutes; but subjected to wholesome restraint and stimulus become the best and most contented of laborers. They are strongly attached to 'old massa' and 'old missus,' but their devotion to 'young massa' and 'young missus' amounts to enthusiasm. They have great family pride, and are the most arrant coxcombs and aristocrats in the world. At a wedding I witnessed here last Saturday evening, where some one hundred and fifty negroes were assembled—many being invited guests—I heard a number of them addressed as governors, generals, judges and doctors (the titles of their masters), and a spruce, tight-set darkey, who waited on me in

town, was called 'Major Quitman.' The 'colored ladies' are invariably Miss Joneses, Miss Smiths, or some such title. They are exceedingly pompous and ceremonious, gloved and highly perfumed. The 'gentlemen' sport canes, ruffles and jewelry; wear boots and spurs; affect crape on their hats, and carry huge cigars. The belles wear gaudy colors, 'tote' their fans with the air of Spanish senoritas, and never stir out, though black as the ace of spades without their parasols.

"In short, these 'niggers,' as you call them, are the happiest people I have ever seen, and some of them, in form, features and movements, are real sultanas. So far from being fed on 'salted cotton seed,' as we used to believe in Ohio, they are oily, sleek, bountifully fed, well clothed, well taken care of, and one hears them at all times whistling and singing cheerily at their work. They have an extraordinary facility for sleeping. A negro is a great night-walker. He will, after laboring all day in the burning sun, walk ten miles to a frolic, or to see his Dinah, and be at home and at his work by daylight the next morning. This would knock up a white man or an Indian. But a negro will sleep during the day—sleep at his work—sleep on the carriage box, sleep standing up; and I have often seen them sitting bareheaded in the sun, on a high rail fence, sleeping as securely as though lying in a bed. They never lose their equipoise; and will carry their cotton baskets or their water vessels, filled to the brim, poised on their heads, walking carelessly and at a rapid rate, without spilling a drop. The very weight of such burdens would crush a white man's brains into apoplexy.

"Compared with the ague-smitten and suffering settlers that you and I have seen in Ohio, or the sickly and starved operatives we read of in factories and in mines, these Southern slaves are indeed to be envied. They are treated with great humanity and kindness."

This is a true picture of the home and surroundings of the Southern planter of that day, drawn by an intelligent spectator of Northern birth and education. Such were the homes of Middle Georgia and of Middle Alabama.

HARDINGS OF LONDON AND VIRGINIA.

By MRS. O. A. KEACH.

This short chapter in the history of the Hardings is designed to record and preserve the interesting and definite proofs of descent from the London family of that name.

Thomas Harding, founder of this distinguished Virginia family, probably came to Northumberland Co., with his uncle, Thomas Orley. Both came from London as the court records at Heathsville, conclusively prove.

Thomas Orley is first mentioned in the will of Thomas Keen, d. Nov. 27, 1652, as one of the friendly "overseers" of the estate of his wife and children.

On May 20, 1653, he claimed a tract of land for his own transportation and acquired other land in "Cherry Poynt neck." He was appointed constable for the Chicacone district Jan. 20, 1657, and was generally active in the community life until his early death. Thos. Orley's will, d. Aug. 11, 1662, pr. Oct. 8, 1662, names his wife Rebecca—Sister Mary Harden wife of George Harden, John Harden son ——— ——— and Mary Harden his wife.

He does not mention his nephew, Thomas Harding in his will, and had doubtless made generous provision for him, but a later record mentions legacies from Thos. Orley which the children of Thos. Harding claimed.

Rebecca, the widow of Thomas Orley, married Wm. Jalland.

Two years after the death of Thos. Orley, on Sept. 22, 1664, a power of attorney was recorded from "George Harding citizen and grocer of London and Mary Harding his wife." The latter is described as daughter of Thos. Orley of London and Anne his wife deceased, and sister of Thos. Orley, late of Cherry Poynt in Va., planter, dec'd.

The power of attorney was given to Capt. Wm. Hall of Lon-

don, mariner, who was to "demand, recover and receive" from Rebecca Orley late wife of Thos. Orley and from Wm. Jalland of Cherry Poynt, planter, her now husband, all goods due sd Harding from sd Orley's estate. A certificate of baptism accompanies the power of atty as follows: These are to certify to all whomme It may concern that Mary Orley the daughter of Thos. and Anne Orley was baptized at the parish church (charge) of St. Mary's White Chappel on the 25 of April 1622, this being a true copy Taken out of the Register by me.

John Johnson D D Rect.
Fran. Fielder
Thomas Slightholm } Church wardens
20 Apr. 1665 Recorded.

Thomas Harding son of George and Mary Orley Harding of London had many descendants in Northumberland Co.*

Young Thomas, the immigrant, with James Johnson, bought or traded for a "pattent" of land containing 400 acres on Nov. 22, 1658, from the original patentee, Richard Rice. One half of this patent was assigned Aug. 24, 1661, by James Johnson and Annie his wife unto James Claughton—the sd 200 acres * * * abutting N. E. on Mattapony river—with Thos. Harding as one of the witnesses. On the same day James Claughton made a deed to Thos. Harding for 100 acres of this patent on the Mattapony river. As this was Thomas Harding's first independent transaction, he may have recently come of age.

On Sept. 9. 1661, James Johnson and Anne his wife made a deed to Thos Harding for 150 acres "where the said Johnson now dwells," from this 400 acre patent in Mattapony. Later records

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***Nov. 20, 1653, upon supposition of witchcraft against William Harding, with (Rev.) David Lyndsay as witness, the Court ordered 10 stripes on the bare back, and forever banished (the sd Harding) from the county. He was ordered to depart in the space of three months. There is no further mention of this Harding, as he doubtless obeyed the order of the Court as soon as possible. The Southern colony was decidedly more lenient in its dealings with persons accused of witchcraft than the Massachusetts colony.**

show that Mattapony became the home place of the elder line of Hardings for several generations.

In Nov., 1661, Thos Harding and Anne his wife made a deed to James Johnson.*

Thomas Harding married Anne Moseley, daughter of Henry and Anne Mosely.

The will of Henry Mosely, d. March 26, 1655, pr. Sept. 20, 1656, names his wife and sons Henry and John. A son William was evidently a posthumous child. Henry Mosely was about 42 years of age at the time of his death, and his home was on Moseley's Creek. His widow, Anne Mosely, married second, John Lyngey.

On Feb. 25, 1660, Anne Lyngey, wife of John Lyngey, gave a power of attorney to her son Henry Mosely.

On Sept. 6, 1665, John Lyngey, who had married the child's grandmother, made a deed of gift to Anne Harding, the dau. of Thos. Harding, "for one cow calfe." In his will, d. Aug. 1, 1667, Mr. Lyngey left a legacy to Thom. Harding's oldest boy." He also mentions his sons in law (stepsons) William, John and Henry Mosely. Mary Hardwood is named as a legatee, and this may have been a mistake in copying the name of Mary Harding.

The will of John Mosely, d. May 18, 1668, mentions his cozzens Thos and Ann Harding and brothers Wm & Henry Mosely.

As one of the church wardens, Thomas Harding attended a vestry meeting March 25, 1671, called by the minister Mr. John Farnefold to determine the bounds of the glebe lands.

Thomas Harding died intestate, probably in 1674, as on June 16 of that year Anne Harding was by the court granted administration on the estate of her deceased husband, Thomas Harding. James Johnson was one of her securities. Somewhat later Mr.

***The birth certificate of Thos. Harding's mother shows that John Johnson, D. D., was rector of St. Mary's Parish church in London, and the frequent association of James Johnson with Thos. Harding and his children raises an interesting question of probable relationship between Dr. Johnson and James Johnson, who was a prominent early citizen of St. Stephen's parish and left many descendants.**

Richard Parrot was attorney for *Anne* and *Mary Harding, heirs of Thos. Orley, deceased.*

This citation from the Order Book establishes the Orley-Harding relationship.

The children of (1) Thomas and Anne Mosely Harding were:

2. Anne mentioned in court records.
3. Mary mentioned in court records.
4. Thomas, b. Sept. 4, 1664, St. Stephens Par. register.
5. Henry mentioned in court records.
6. William, b. July 20, 1669, Parish Reg.

The order of births is not certain, but it would seem that Thomas was the oldest son.

On Aug. 20, 1679, Anne Harding, now wife of Richard Bradley, was by the court appointed guardian to her son, Thomas Harding, 14 years of age.

Richard Bradley died and Anne, his widow, m. a third time, Luke Rowland.

4. Thos.[2] Harding (Thos.[1]) came of age in 1685, and probably shortly thereafter married a daughter of Capt. John Haynie. In March, 1691, Thos. Harding was member of a jury. On May 20, 1691, he was appointed constable for *Mattapony.* Both Thos. Harding and his wife ——— Haynie Harding, were dead before Sept., 1691, as the following record of that date shows. Whereas, Mr. John Haynie, Sr., petitioned this court that Mr. Harding late of this county deceased died intestate, leaving an estate in lands and chattels and had issue by the said Mr. Haynie's daughter deceased also a son named Thomas Harding, who hath from his birth, being three years old, since been sustained by him, prayed that he might have the guardianship of the said child, Captain Haynie was by the court appointed guardian of the child.

The next records refer to Mr. Thomas Harding, the immigrant, and the final settlement of his estate.

On Feb. 19, 1692, the Court appointed a jury to audit the accounts of William Harding (recently of age) and other orphans of Thomas Harding, dec'd.

May 18, 1692, the Court ordered the appraisement of the estate of Thomas Harding Sr., dec'd. The appraisers to make return to

the next Court thereof, and also that Luke Rowland at that time exhibit his oath to the same.

On May 22, 1696, Capt. John Haynie, guardian of Thomas Harding, orphan of Thomas Harding, Sr., brought suit against Luke Rowland, who married Anne the administratrix (and widow) of Thomas Harding, dec'd. Capt. Haynie died in 1697, leaving a will which was burned with other Court records in 1710. His son, Mr. John Haynie, Sr., was one of his executors and, on Nov. 19, 1718, gave a "deed of Indenture with Livery and Seizen" to Thomas Harding. This was probably a bequest from Capt. Haynie to his grandson.

The children of (4) Thomas and ——— Haynie Harding were,

7. Thomas, b. 1688, Court record.

8. William, b. Feb. 15, 1690, Parish record.

There may have been other children who have not been identified.

7. Thomas Harding (Thomas,[2] Thomas[1]) came of age about 1709. He married Mary Berry, daughter of Wm. Berry. The will of Elizabeth Bledsoe, d. Feb. 13, 1708, names her granddaughter Mary Berry, and her son-in-law Wm. Berry.

The third Thomas Harding died in 1722. His will d. Oct. 17, 1722, and pr. Dec. 11, 1722, names his wife Mary, gives his son William a tract of land in Mattapony, joining on the land of Claughton and Johnson.

Son Samuel land in Mattapony.

Son Thomas homestead and tract of land bought of James Palmer.

Daughter Jane 250 acres in Mattapony.

Daughter Judah (Judith) 100 acres in North Farnham parish, Richmond Co., part of Henry Corbin's patent. Wife Mary and George Ball executors.

The wife of Capt. George Ball was Grace, dau. of Anthony Haynie and first cousin of Thomas Harding.

The issue of Thomas and Mary Berry Harding were,

9. William, m. Sarah, daughter of Joseph and Mary Mattrom Ball.

10. Samuel.

11. Thomas.

12. Jane, m. George Humphreys.

13. Judah.

14. Mary. This last named dau. was born after the death of her father, as Mary Harding on Aug. 18, 1727, made a deed to George Ball for property for her daughter Mary Harding.

Mary, the widow of Thomas Harding, m. second, Rosten Betts.

5. Henry, son of Thomas and Anne Mosely Harding, was doubtless the namesake of his grandfather, Henry Mosely. The date of his birth is not known. It may have been 1666 or 67.

He married Jane ——— and had issue, probably Henry, William, Thomas, John.

1696 Nov. 20. Upon the motion of Henry Harding, adm. of William Harding, dec'd, it is ordered that Richard Flynt, Jr., Thomas Bearcroft &c, appraise the estate of the sd deceased.

6. William Harding was b. July 20, 1669, and was the brother of Henry.

Again, Feb. 19, 1698, an appraisement was ordered of the estate of Wm. Harding deceased.

Henry Harding probably died in 1698, as on May 19 of that year, the court appointed a jury to view work done on house of Richd Thompson by Wm. Harding.

Jane is mentioned as relict of Henry Harding, and she became the adm. of Wm. Harding's estate.

On July 21, 1698, Jane is mentioned as the wife of Charles Ashton, and they were both sued by Mr. John Crallé as administrators of Wm. Harding.

It is believed by the writer that one of the sons of Henry and Jane Harding was William who lived in St. Stephen's parish. On May 19, 1713, Wm. Harding of St. Stephen's parish made a deed to Samuel Robinson for 100 acres of land in Wicomico parish, part of Saunder's Quarter bought by Thomas Harding from whom it descends by inheritance.

The early Hardings were short lived, as Thomas, the immigrant, and his sons were all dead before 1700. There are numer-

ous records of the Hardings in the old court books, and much valuable material for the family historian.

However, Thomas Harding was not ancestor of all of that name in Northumberland.

No further mention is found of William Harding, accused of witchcraft and ordered to leave the county in 1653. But among the headrights of Capt. George Eskridge, recorded Mch. 21, 1706, and assigned to him by Mr. Jno. Cottrell is Henry Harding who had doubtless been transported to Va. several years before this date. He may have been the Henry Harding who on Aug. 23, 1700, was a witness in a case before the court and is mentioned as the servant of Mr. John Cockrell.

The elder line of descent from Thomas Harding is traceable through the inheritance of land. Later wills and court orders help identify his other descendants.

REMOVAL OF THE FLORIDA INDIANS.

LETTER OF MAJOR WASHINGTON SEAWELL.*

Fort Micanopy (E. F.)
September 18t 1841.

Dear Sister:

Your letter of the 21st inst. is received. Your account of the improvement of my children gratified me much, and I thank you for the expression of kind feeling in relation to myself. I was glad to hear that brother Jack was pleased with his trip to Washington and I hope his health has been benefitted by it. I was in hopes that you and Maria accompanied him. I was also glad to hear that cousin Milly's health was better and that there is prospect of her recovery.

I have received a letter from Mr Cruikshank requesting that my children be permitted to continue with him until November, so that they may appear before the court which sits in Washington in that month, which I have consented to. Immediately after they have appeared before the court, I am anxious that they should return to you, and if Boswell can spare the time, I will be greatly obliged to him if he will go for them. I enclose $50 to pay for the expenses of the trip.

It is the general belief that the war here will be terminated this winter. Col. Worth is very sanguine that it will be closed in a few months and this appears to be the opinion of the officers generally. So far, he has been very successful in his speculations.

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*Washington Seawell was a son of John Seawell, of Gloucester Co., Virginia, who was a prominent planter. He became a cadet July 21, 1820, and was made captain July 31, 1836. He was brevetted Major 18 July, 1841, for efficient service against the Florida Indians. He was a colonel in 1860, but retired July 20, 1862. On March 13, 1865, he was created brigadier general for long and faithful service in the army. He died January 6, 1888. He was a brother of John Boswell Seawell (born July, 1780), a prominent lawyer of Gloucester Co., who married Maria Henry Tyler, sister of President John Tyler.

He has now in about 280 Indians, ready for imigration. They consist principally of Wild Cat's band. Two other bands are expected in a few days and if they come, which it is not doubted they will, there will be only Halleck * * * and Sam Jones' bands remaining. Halleck has sent a message to Col. Worth that his people are in great distress and that he is coming in.

I am very busy making arrangements to leave day after tomorrow for Tampa, where I am ordered to repair to take charge of the Indians now at that port, to conduct them to the West. After performing this service, I will be ordered to report to Washington, where I will avail myself of the opportunity of visiting Gloucester. I do not know of the exact time I shall leave Tampa with the Indians, but presume it will be early next month, and should the Arkansas River, when I reach it, be high enough for Steam Boats to proceed as far as Fort Gibson, I shall expect to be in Washington early in December.

I have read the President's veto on the Bank Bill, and I agree with you that it is sufficient evidence that the constitution could not be trusted in safer hands. I am glad to see that he possesses so much moral firmness. It is disgusting to see how some of the leading Whigs are attacking his conduct, because he had the independence to act in opposition to their wishes. No doubt they are themselves willing to sacrifice their honor to promote their ambitious views, and expect the President and all others of the party to do the same.

It is very sickly throughout Florida. They have the yellow fever at St. Marks, Tallahassee and several other places. I was sick 4 or 5 days about a month since, but am now quite well.

With my love to Brother Jack and Maria, I remain,

Your affectionate Brother

W. Seawell

To Mrs Maria H Seawell,
Gloucester County, Va.

Please say to Boswell that I expected to have heard from him before this.

BURTON MEMORANDUM.

Robert Burton served in the War of the American Revolution, and the Continental Congress. In 1775 he removed from Mecklenburg County, Virginia, to Grantville, North Carolina, where he died in 1825. He was a son of Robert Burton and Priscilla, his wife, and grandson of Hutchings Burton and Tabitha Minge, daughter of Robert Minge and Mary Hunt, daughter of William Hunt. The memorandum was found among the papers of James Anderson, of Beattie's Ford, North Carolina, a son-in-law of Robert Burton. It was sent by his son, Rev. Robert Burton Anderson to George Lee Burton, atty-at-law, Louisville, Kentucky (a great grandson of said Col. Robert Burton), who sent a copy to the Editor.

"William Hunt,[1] a Frenchman, a Dr. of physick, removed to America, the time unknown, and settled at Kesmons warehouse[2] on James river, Charles City County, intermarried with Tabitha ——— and had issue George, John, William, and daughter Mary who was born 15 May, 1695, and who married Robert Minge[3] an American, and another daughter, name unknown, who married John Macon.[4] Mary had two daughters, Tabitha and Martha. Tabitha intermarried with Hutchings Burton and Martha with George Baskerville. R. Minge died and Mary intermarried with William Allen: issue, Ann, Wm. Hunt, John, Valentine, Susanah, G. Hunt, and Mary. Noel Burton[5] intermarried with Judith Allen whose family was from Wales. Hutchings Burton had issue by Tabitha,—John, Hutchings, Noel, *Robert* and James Minge, and two daughters, Martha and Mary."

NOTES.

1 This William Hunt was probably the William Hunt, who was one of Nathaniel Bacon's friends and "died before the rebels were reduced to submission." (Nov. 11, 1676, aged 77 years.) He was interred at "Bachelor's Point," Charles City Co. (See *William and Mary College Quarterly*, IV, p. 124.)

2 "Kesmon's Warehouse" was probably *Kennon's Warehouse*, near

Swann Neck Creek in Charles City Co. Here Col. William Kennon lived before the Revolution, and the wharf there was known in recent times as Wilson's Landing.

3 Robert Minge was son of James Minge and Amadea Harrison, daughter of Robert Harrison, of York County. The latter, James Minge, was son of James Minge, who wrote the laws of Bacon's Assembly in 1676.

4 John Macon, son of Gideon Macon and Martha, his wife, was born Dec. 17, 1695.

5 Noel Burton, father of Hutchins Burton, who married Tabitha Minge, married Judith Allen and was great-great-great-grandfather of George Lee Burton, who sent the memoranda above to the Editor.

Robert Burton, father of Col. Robert Burton, made his will in Goochland, which was proved Oct. 18, 1748, and names his sons Robert, William, Noel, and daughters Anne, Judah, Priscilla, and grandson Charles. In 1758, Priscilla Burton made a gift to her son, Robert Burton.

FLOWERDEW HUNDRED AND SIR GEORGE YARDLEY.

This place has been variously referred to in the Records as Flower de Hundred, Flower dew Hundred, &c., but recent investigations show that it got its name from Sir George Yardley's wife, Temperance Flowerdew.

In the early days of the colony the territory of the Weyanoke Indians lay on both sides of James River, and their chief town lay at the head of Powell's Creek. The land on the south side was known as Greater Weyanoke, and the land of the north side as Little Weyanoke (Tanks Weyanoke).

In 1617, Sir George Yardley received from the Indian King the gift of Tanks Weyanoke, and in 1618 he patented one thousand acres on the south side, west of a creek, and called both creek and place Flowerdew Hundred. At a point of land called in the early records "Tobacco Point," and which is now known as "Windmill Point," he erected, in 1621, the first windmill in the United States. In 1619, the plantation was represented in the first Legislative Assembly by Edmond Rossingham, and John Jefferson, the supposed ancestor of Thomas Jefferson. In certain records Rossingham is referred to as Yardley's nephew.

Before 1624 Sir George Yardley sold Flower dew Hundred to Capt. Abraham Peirsey, one of the leading merchants of Virginia. In that year there were on Peirsey's land, which included Windmill Point, twelve dwellings, three storehouses, four tobacco houses and one windmill. Sir George Yardley died in 1627, and his widow, Temperance married 2dly., Col. Francis West, brother of Lord Delaware, and deputy-Governor of Virginia. The same year died Abraham Peirsey, the then owner of Flowerdew Hundred, whose wife, Frances, daughter of Sir Thomas Hinton, was a widow of Nathaniel West, another brother of Lord Delaware, and married 3rdly., Col. Samuel Mathews. Peirsey left two daughters, Elizabeth, who married 1st. Captain Richard Stephens and 2d. Sir John Harvey, and Mary who married Captain Thomas Hill.

After Peirsey's purchase Flowerdew Hundred was called "Peirsey's Hundred," but, in 1635, Mrs. Elizabeth Stephens patented it as "Flowerdewe Hundred." Shortly afterwards she sold to Dilliam Barker, mariner.

At the close of the 17th century, Flowerdew Hundred was owned by Captain John Taylor, of Prince George County, who devised it to his daughters Henrietta Maria and Sarah, who married respectively John Hardiman and Francis Hardiman. They sold it to Joseph Poythress, and at the close of the 18th century it was the property of John V. Willcox, whose descendants still own it.

Two questions puzzled the historians: What was the maiden name of Sir George Yeardley's wife? and why was the plantation on the south side called Flowerdew Hundred?

For a long time these questions remained unanswered, but recent investigations conducted in England at the instance and expense of G. C. Callahan, of Philadelphia, have brought the answer. The only clue that offered itself was the statement made by Edmund Rossingham to the Privy Council that Sir George Yardley was his uncle. Fortunately his litigations with Ralph Yardley disclosed the fact that Lady Yardley was his aunt. A further search in Chancery Proceedings produced the suit *Rossingham* v. *Knevett* & this gave the maiden name of Mrs. Rossingham & Lady Yardley. However, the matter would not have been absolutely certain if Edmund Rossingham's grandmother Martha, who by the time she made her will had changed her name by a second marriage from Flowerdew to Garret, had not bequeathed her signet ring to her daughter Temperance Yardley otherwise Flowerdew. It seemed perfectly natural that Sir George Yardley should name his plantations on the southside after his wife Temperance Flowerdew.

Papers showing the immense research made for the relationships of Sir George Yardley and his wife are before the writer, and a selection is made of the most interesting.

I. *Parentage of Sir George Yardley and the 2d marriage of his wife Temperance to Col. Francis West.*

REPORT.

The result of the search which has been made concerning the parentage of Sir George Yardley, establishes beyond question, that he was the son of Ralph Yardley, citizen & merchant taylor of London. In the inquisition taken after the death of Ralph Yardley he is said to have been seised of a *capital messuage in Southwark* called *le Horne*, which property he bequeathed by will to his five children Ralph, *George*, John, Thomas & Anne. In his will he also mentions a daughter by a former marriage, whose married name was *Earby*. A search among the wills proved in the P. C. C. at Somerset House produced the will of Edward Irby citizen & grocer of London. In his will dated the 27th of February 1616/17 he mentions the *great messuage called the Horne situate* in Southwark, and bequeaths £40 to his *brother in law George Yardlie now being at Virginia* upon condition that he makes assurances of the said messuage to the testator's son Edward. According to Hotten's Lists of Emigrants to America (from which extracts are enclosed) there was no other George Yardley then living in Virginia. This appears to put the matter beyond all doubt.

No mention has been met with in any printed book of Lady Yardley's second marriage to Francis West. The Dictionary of National Biography, which asserts positively that Sir George was son of Ralph Yardley the merchant taylor, says that her maiden name was West. This seems rather unlikely. The abstracts of Chancery Proceedings & note from the proceedings of the Privy Council relative to the dispute between Francis West & Ralph Yardley, the apothecary, may prove interesting.

Abstracts of the will & inquisition of Ralph Yardley the elder had been made before Waters' Gleanings had been seen.

A note had been made of the letter from John Chamberlain to Sir Dudley Carleton in which he refers to Captain Yardley, a mean fellow, knighted & going as Governor to Virginia, dated 28th November, 1618, but that also is printed in the Gleanings.

[Abstract] Chancery Inquisition post mortem. Series II. Vol. 650. No. 130.

[A. D. 1625] Writ dated 3 March 22 James I

The Borough of Southwark.

Inquisition taken at St. Margarets Hill in the parish of St. Saviour in the Borough of Southwark co. Surrey on the 11th of March 33 [A. D. 1625] James I, before John Gore esq. Mayor of the city of London, escheator of the King in the said borough, after the death of Ralph Yardley citizen and merchant tailor of London.

The jurors [named] say that the aforesaid Ralph Yardley was seised in his demesne as of fee, of and in a capital messuage called le Horne, formerly divided into two several messauges, in the said parish of St. Saviour. The said Ralph Yardley, being thus seised, on the 25th of August 1603 made his last will by which he bequeathed all his freehold lands and tenements in Southwark or elsewhere to his children Ralphe, George, John, Thomas and Anne Yardley, to hold to them and their heirs for ever. The said Ralph Yardley died on the *1st of July 1618. His son & heir Ralph Yardley was aged twenty one and more at the time of his father's death.

The jurors further say that the capital messuage aforesaid was and is held of the Mayor, Commonalty & citizens of the city of London, in free socage, as of their manor of Southwark by a yearly rent of 2s. and is of the clear yearly value of one grain of pepper during a certain demise made by the said Ralph Yardley to a certain Richard Yerwood citizen & grocer of London, dated the 16th of July 1603, for the term of 100 years. After the determination of the said demise, the premises aforesaid will be of the clear yearly value of £3.

24 Harte

Will of Ralph Yardley
Citizen and Merchant tailor of London
dated 25 August 1603.

[Abstract] I desire that my goods shall be divided into three equal portions accordings to the custom of the city of London.

I bequeath one third part to my wife Rhoda.

I bequeath one other third part to be equally divided between my children Ralphe, George, John, Thomas and Anne Yardley, to be paid to my sons when they shall attain the age of twenty one, and to my daughter when she shall attain the age of twenty one or be married.

I bequeath 20s. to the poor of the parish of St. Saviour in Southwark where I now dwell, and to such of the Bachelors and sixteen men of the company of Merchant tailors, London, as shall accompany my body to burial, 20s., for a recreation to be made unto them. And to the vestry men of the same parish 20s. for a recreation to be made unto them.

I bequeath small legacies to my sister Palmer, to my cousin John Palmer, her husband, to my daughter Earby (my first wife's wedding ring,) to my son Erbye her husband, and to my cousin Richard Yearwood.

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*This is obviously a mistake. It is written over other words which have been erased.

I give to my brother Thomas Yardley a gold ring.

I bequeath all my freehold lands & tenements in Southwark or elsewhere to my said children, Ralph, George, John, Thomas & Anne Yardley, to hold to them and their heirs for ever.

Executor. My son Ralph Yardley.

Overseers. The said Richard Yerwoode & my son Edward Earbye.

Witnesses. John Hall, public notary, Hugh Ireswell his apprentice, and John Alanson.

Proved on the 27th of February 1603/4 by Ralph Yardley, son & executor.

Will of Ralph Yardley

P. C. C. Citizen & Apothecary of London

18 Berkeley Dwelling in the parish of St. Alban, Wood Street.

Dated 5 June 1654.

Proved 4 Jan. 1655/6.

[Abstract] I bequeath to my son John Yardley & his heirs my copyhold tenement in Stoke Newington co. Middlesex whereof I made a surrender to the Lord of the Manor of Stoke Newington, dated the [A. D. 1638] 28th of October 14 Charles I. I also bequeath to him, with remainder to his son Andrew Yardley, my messuage in Mark Lane, London upon condition that they pay my son Ralph Yardley an annuity of £20. Out of these bequests I desire my son John to provide for my grandchild Elizabeth Marsham until she shall be eighteen or married.

I give my son in law Robert Archer & my daughter Rose his wife two messuages in the parish of St. Katherine Crechurch in London, & desire my said son in law to provide for my grandchild Ralph Marsham until he is sixteen years of age.

I give to my daughter Anne Harris three messuages in Kingston on Thames, co. Surrey, & my livery gowns to my son in law Simon Harris.

I make bequests to my grandchildren John, Robert, Katherine & Elizabeth Archer, Rhoda Archer, and Elizabeth, Anne, Ralph, Rose & Prudence Harris. I bequeath to my son John & my son in law Robert Archer the leases of the house where I now dwell & of the house in Coleman Street, the profits thereof to be for the maintenance of my granddaughter Rose Marsham, and I leave £100 in trust for my grandson Thomas Marsham. Also certain money is to be expended about the recovery of the copyhold estate due to my grandson Ralph Marsham out of the manor of Ramplingham co. Norfolk.

I bequeath to my son John, & son in law Robert Archer my four messuages in the parish of St. Alban in Great Wood Street, London,

which I lately purchased of Francis Plumsted, for the use of my grandchildren Rose, Ralph & Elizabeth Marsham.

I make bequests to my cousin Katherine Browning, my sister Panke, my cousins Anne Cooper, John Hind & Richard Alexander, & my apprentice Marke Stratton.

Executor. My son John Yardley.

Overseers. My sons in law, Robert Archer & Simon Harris.

Witnesses. Elizabeth Harris, Marke Stratton, Ro: Walpole, scrivener.

Codicil dated the 7th of December 1655.

I bequeath to my servant Marke Stratton the use of all my implements in my shop for three years after my death, & then he is to pay my executor for them. All simples & compositions & distilled water are to be valued by two of the Trade & he is to pay for them within a year of my death, and he is to enjoy the rest of my lease of my now dwelling house & shop at £16 per annum. I request the Master, Wardens & Assistants of my Company that Mark may be made free though his time be not accomplished.

Witness Marke Stratton, Ro. Walpole scrivener

Proved on the 4th of January 1655/6 by John Yardely son & executor.

34 Weldon

Will of Edward Irbie
Citizen & grocer of London
dated 27 February 1616/17.

[Abstract] I bequeath my freehold messuages in the Minories without Aldgate, London, to my wife Catherine, with remainder to my son Edward. I desire that my wife shall convey to my son Edward, or to such persons as he shall appoint as feoffees, to his use, such estate right & title of in & to all those houses, messuages or tenements called by the sign of the Horne situate in Southwark Co. Surrey, which I hold by lease for a long time yet to come, so that the said Edward may enjoy the reversion of the same immediately after the decease of my said wife, during the residue of the term granted by the lease which is unexpired.

I make bequests to my son John & my daughters Anne, Winifred & Catherine.

I give to my brother in law Ralph Yardlie & his wife £5, and to his two children 40s. each.

I will that my executrix shall pay unto my brother in law George Yardlie now being in Virginia, upon condition that he do make, execute & perform unto my said son Edward & his heirs, such assurances of the said great messuage called the Horne situte in Southwark aforesaid to the use of my said son Edward, his heirs & assigns as is

limited, mentioned, specified & agreed upon by certain articles indented made between his brother Ralphe Yardley on the one part and myself on the other part, the sum of £40, the same to be paid unto him within fourteen days after the making & perfecting of such assurance as aforesaid.

Executrix. My wife Catherine.

Witnesses. Nicholas Reeve, scrivener, William Manley, Thomas Taylor & Edward Pierce.

Proved on the 24th of March 1616/17 by Catherine Irby relict & executrix.

Chancery Proceedings Charles I. W. 63 No. 42.
Francis West of the city of Winchester, co. Southants, esquire, complainant,

v.

Ralph Yardely of London, an apothecary, defendant.

[Abstract] Bill dated 1 Feb. 1629/30

[A. D. 1628]

The complainant shows that about the last day of March, 3 Charles I, he married Dame Temperance Yardely, late wife of Sir George Yardely, knight, and by means thereof and of the last will of the said Sir George was to have had a full third part of all the estate of the said Sir George in Virginia or elsewhere, over & above all household stuff being in Sir George's house in James City at the time of his death, which third part so belonging to the complainant amounted to at least £3000, the said Sir George's estate, of which he bequeathed a full third part to his wife, Dame Temperance, being worth £10,000 at least. The said Dame Temperance proved the said will, of which she was executrix, and within one year after her marriage with the complainant she died in Virginia without having made any will, by means whereof her said third part of right belonged to the complainant. The said third part mainly consisted of tobacco growing in Virginia or transported into England, as also of servants, negroes, &c., and of a plantation of 1000 acres of land with tobacco at Stanley in Warwick River in Virginia, and being all appointed by Sir George's will to be sold for tobacco money or other commodities of that country and to be transported into England to be sold there, a third part thereof was to be delivered to the said Dame Temperance for her own use. This was done partly in Dame Temperance's life time & partly since her death. But Ralph Yardely, the defendant, having knowledge of this & of Dame Temperance's death, and knowing by Sir George's will that a third part belonged to his said wife, and by her death to the complainant, and the other two parts to Sir George's three children, (the complainant being then in Virginia where Dame Temperance

died) the said Ralph obtained letters of administration of the goods of the said Sir George and by colour thereof possessed himself of all the personal estate of the said Sir George Yardeley. About last Easter the complainant arrived in England, and hearing that the said Ralph had possessed himself not only of Sir George Yardley's estate, but also of the complainant's third part thereof, he repaired to the said Ralph Yardeley & asked him to tell him what the said estate amounted to, and to pay him a full third part of the same. All which the said Ralph Yardely utterly refused to do.

The demurrer of Ralphe Yeardley, defendant, to the bill of Francis West esq. complainant.

The defendant says that by the complainant's own showing letters of administration of the goods of Sir George Yeardley, knight, have been granted to this defendant. It does not appear by any thing set forth in the bill that the complainant has any purparty in the personal estate of Sir George. This defendant is advised by his counsel that neither in law or in equity is he bound to give the complainant any account of the said estate, as is required by his bill.

Proceedings Between
Francis West esq. & Ralphe Yardley, apothecary.
Acts of the Privy Council (Colonial) Calendar.
1613-1680

p. 149 Whitehall, 30 June, 1630.
[abridged copy]

A petition was this day presented to the Board by Francis West Esq. later Governor of Virginia, showing that Sir George Yardley, knight, about three years since by his last will bequeathed to Dame Temperance his then wife (whom he made his sole executrix) all his household stuff in his house in St. James City, and likewise ordained that all his other estate in Virginia should be sold by her; and disposed of for tobacco, to be conveyed into England, and that a third part thereof should be for the use of his said wife, and the other two parts for his three children. The said Sir George soon after died, and the Petitioner marrying his widow, did during her life wholly refer unto her the ordering of all the said Sir George's estate, who according to the intent of the said will converted such part thereof as aforesaid into tobacco, and sent the same for England, which coming into the hands of Ralphe Yardley citizen and Apothecarie of London, and brother to the said Sir George, and he being by this means possessed thereof, and understanding that the Petitioner's said wife, was since deceased in Virginia, under pretence of affection to the said children procured to himself as well the administration of the said Sir George's estate, as also the administration of the goods and chattels

of the Petitioner's said wife, and being thus possessed of the estate aforesaid, doth refuse to account with the petitioner for the same, or to come to any reasonable or friendly mediation or agreement with him, and therefore the Petitioner humbly sought to be relieved herein by order from the Board.

Chancery Proceedings. Charles I. Y. 7 No. 34.
[Undated]
The replication of Ralphe Yardley complainant to the answer of Francis West esq. defendant.

[Abstract] The repliant denies that Dame Temperance Yardley, the defendant's late wife, ever sent any tobacco out of Virginia to this repliant in England besides the seaven thousand weight mentioned in the answer. But he says that about the same time she sent into England 100 hogsheads of tobacco which were not sent to him but to one Thomas Wolfrey of Southampton who has not yet given any account of it to this repliant. This repliant further says that the defendant, since the death of the said Dame Temperance, has secretly conveyed away great quantities of tobacco and other the personal estate of Sir George Yardley, and has converted the same to his own use. The defendant ought to restore the same to this repliant for the use of the children & orphans of Sir George Yardley, to whom in equity the same belongs.

List of Emigrants to America 1600-1700.
Edited by John Camden Hotten.

A List of Names; of the Living in Virginia Feb. 16th 1623/4
Sir George Yeardley, Temperance Lady Yeardley,
Argall, Francis and Elizabeth Yeardley.

The Muster of the Inhabitants of James City, taken the 24th of January 1624/5.

The Muster of Sir George Yearley, Kt. &c.
Sir George Yearlley, Knt. came in the Deliverance 1609.
Temperance Lady Yearlley came in the Faulcon 1608.

Elizabeth Yearlley aged 6 yeares
Francis Yearlley aged 1 yeare
Argall Yearlley aged 4 yeares
} children born here

P. C. C. 33 Seager

Will of Francis West
of Winchester, co. Southants, esquire
dated 17 December 5 Charles I. [A. D. 1629.]

[Full abstract.]

I desire to make provision for Jane my now wife, one of the daughters of Sir Henry Davye, knight, in case she survives me.

I desire that my wife, as soon as she may after my death, shall sell all my lands, goods, plantations, servants, &c, either in England or Virginia, (except jewels, plate, linen and household stuff) and shall have the whole disposing, profits and ordering thereof until such time as my son Francis West shall accomplish his full age of one and twenty, my said wife in the meantime bringing up my said son in learning and in the fear of God. When my said son shall come of age my wife shall deliver to him one half of my said estate to be sold as aforesaid. If my said son shall die under age my said wife shall have all my said estate of lands, plantations, servants and goods aforesaid to her own use forever, that is to say, such lands & things as I shall be then seised of in fee simple to her & her heirs forever, and all my said personal estate whatsoever to her own use forever, if she happens to have no issue by me. And if she happens to have any issue by me, then I devise the said whole estate, or money to be made upon the sale of the lands, plantations, servants & goods aforesaid (if my said son Francis happen to die during his minority) and the whole benefit thereof to my said wife for her life. But if my said son Francis shall live to be twenty one, and I shall have no issue by my said wife Jane, then I devise only one half thereof to her for her life. After the death of my said wife, I devise one full moiety of the whole estate aforesaid (if my son Francis shall die during his minority) unto such children as I shall have by my said wife to be equally divided between them, saving that such eldest son as I shall have by my said wife Jane shall have a double portion. If my said wife shall take a second husband after my death, then the moiety of such estate as shall come to her by virtue of this my last will shall be divided equally between such children as I shall have by her, saving a double portion to the eldest son.

I bequeath to my said wife Jane all such jewels, linen, plate, money & household stuff as I shall be possessed of at the time of my death to her own use forever.

Executrix. My wife Jane.

Overseer. Sir Henry Davye, knight, to whom I bequeath £5.

Provided that if the said Francis West and Jane do die without issue of their bodies between them begotten, that then the one half of all the estate aforesaid shall be in the power of the said Francis West to bestow and give to whomsoever he pleaseth.

Witness. Tho. South, Tho. Hill.

Proved on the 28th April 1634 by Jane West relict & executrix.

II. *Family of Lady Yardley.*

P. C. C.
78 Sloane

Will of Stanley* Flowerdewe
of Scottowe co. Norfolk, gentleman
dated 10 May 1620.

[Abstract]

I bequeath all my goods to my kinsman Hammond Claxton of Gray' Inn, co. Middlesex esquire, to be disposed of by him for the better maintenance of my mother, so that no part comes into the hands of her husband my father in law Captain Godfrey Garrett. And whereas, I have mortgaged certain lands in Hethersett co. Norfolk to my said father in law for £300, I will that my heirs at the common law shall pay him the money due for the redemption of the said lands, and then to have the said lands to them and their heirs forever.

Executor. My kinsman, Hammond Claxton.

Witnesses. Cha. Walker, Richard Jarvis, Elizabeth Walker, Anne Jarvis, John Dyson, Public notary.

Proved on the 16th of August 1620 by Hammond Claxton, the executor.

P. C. C.
149 Hele.

Will of Martha Garrett
of Scottow co. Norfolk, dated
3 February 1625/6

[Abstract]

I bequeath to Edmund Rossingham my grandson all my messuages and lands in Scottow or elsewhere in the county of Norfolk, and to his heirs for ever.

I give unto my daughter Temporaunce Yardie alias Flowerdewe my seal ring of gold.

I give to my kinswoman Mary Claxton, wife to Hamon Claxton of London esquire, my black cloak and fan of white feathers.

To my goddaughter Amy Hardye 20s.

To the poor of Scottow 40s.

To Mr. Burton, minster of Olton 10s. to preach my funeral *servants.*

To my servants named various bequests.

To the said Edmund Rossingham, the residue of my goods.

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*Stanley Hundred in Warwick County, Va., which was the property of Sir George Yardley, doubtless got its name from the Flowerdew family, in which the name "Stanley" appears.

Executor. My grandson, Edmund Rossingham.

Witness. William Hardye.

Proved on the 4th of December 1626 by the executor named in the will.

P. C. C.
23 Windsor.

Will of Edwaed Flowerdew
of Stanfilde Hall, co. Norfolk
dated 15 June 1583.

The testator mentions the will of his father John Flowerdew.

He bequeaths to the daughters of his nephew Anthony £10 each to be paid to them on their wedding days.

Proved on the 5th of May 1586.

N. B. This is a short note of a very long will.

P. R. O. Chancery Inquisition post mortem. Series II.
Abstract Vol. 210 No. 132
A. D. 1586

Inquisition taken at Harlston in co. Norfolk on the 12th of October 28 Elizabeth, after the death of Edward Flowerdew late of Hethersett, esquire, one of the Barons of the Exchequer. The jurors say that the said Edward was seised in his demesne as of fee of and in the manor of Standfeild Hall and other lands in Norfolk, which by his deed dated the 14th of December A. D. 1573 16 Elizabeth he settled upon himself & his wife Elizabeth and upon his own heirs & assigns.

The jurors also say that the said Edward was seised in his demesne as of fee, of and in a moiety of the manor of Hethersett in co. Norfolk and of lands in Wymondham in the said county.

The said Edward Flowerdew died on the 31st of March A. D. 1587 last past, Elizabeth his wife survives him.

Anthony Flowerdew is his next heir, being the son & heir of William Flowerdew, brother & heir of the aforesaid Edward. The said Anothony is aged twenty-nine.

P. R. O. Chancery Proceedings. Charles I.
Bundle R. 20 No. 22.
Edmund Rossingham of London, gentleman, plaintiff.
v.
Ralph Yardley, of London, Apothecary.

[Abstract] Bill dated 1 March 1629/30.

The plaintiff shews that he was persuaded by Sir George Yardley at adventure with him into Virginia, when the said Sir George was governor of that plantation. He went the more willingly because the said Sir George was then married to the sister of the plaintiff's mother. He made many journeys into England, Holland & elsewhere on Sir

George's behalf, and also left with Sir George in Virginia a stock of cattle which were of the proper goods of the Plaintiff, for all of which he ought to have received £400 at least. Nothing was paid during the lifetime of Sir George Yardley, & after his death about three years ago in Virginia, administration of his estate was granted to his brother, the defendant. He utterly declines to make any payment to the plaintiff for the said debt. The plaintiff thereupon applied to the Privy Council and was awarded £200 out of Sir George's estate, which sum the defendant utterly refuses to pay. He prays that a writ of subpena may be directed to the said Ralph Yardley.

Answer dated 10 March 1629/30.

The defendant believes that Sir George Yardley married the sister of the plaintiff's mother, but he does not think that he was persuaded by Sir George to go to Virginia to assist him in his affairs, but that he went there in the hope of advancing himself by his own endeavours. He believes that Sir George employed the plaintiff to sell his tobacco in Holland, but he has often heard Sir George complain that he had very much prejudiced him in that employment. The plaintiff told this defendant that Sir George had paid him £100 for his pains. He does not know that the plaintiff ever left any stock of cattle in Virginia with Sir George, but about Christmas 1625. Sir George being then in this defendant's house in London he heard the pltf. superficially ask Sir George how his stock did in Virginia, who said that he has been informed that his cow had a calf. Whereupon, the Plaintiff being then indebted to this defendant seven pounds for lodging & physic, & estimating that the calf might be worth so much, he entreated Sir George to pay this defendant the said debt in lieu thereof, which he did, though he then affirmed that he would by no means have meddled therewith had it not been that this defendant was his brother. The defendant knows of the orfer made by the Privy Council but before the said order was entered he petitioned to inform the Council of the equity of the couse on behalf of Sir George's children—Argoll, Francis & Elizabeth Yardley, and it was agreed between him & the plaintiff that the plaintiff should prefer his bill into this court. If the plaintiff can prove that the money is really owing to him, the defendant will pay it to his uttermost ability.

Chan. Proceedings. Charles I. R. 63. No. 108.
Rossingham v. Knevett.

P. R. O. Chancery Proceedings. Charles I. Bundle R. 63. No. 108

Edmond Rossingham of the Inner Temple, London, Gentleman.
plaintiff.

v.

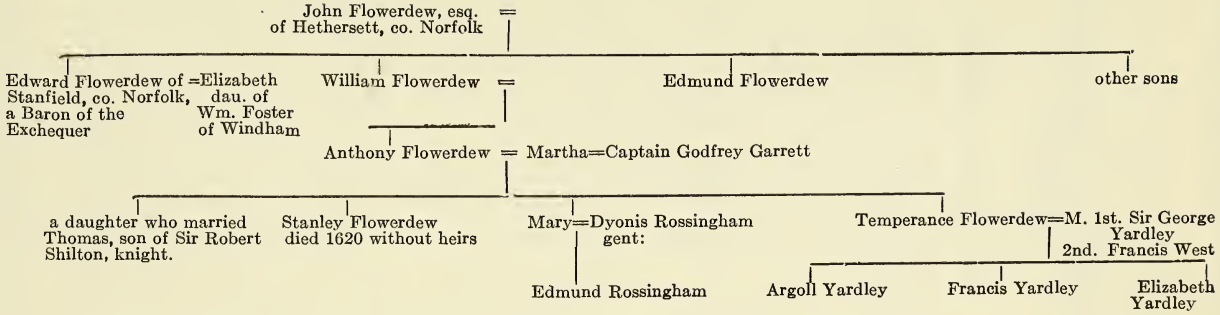
Thomas Knevett of Ashfield Thorpe co. Norfolk, esquire, defendant.

Abstract Bill dated 1640.

The plaintiff shews that in or about the year 1580 Anthony Flowerdewe late of Hethersett, co. Norfolk esq. and Martha his wife were seised in their demesne as of freehold for the term only of their natural lives, and the life of the longer liver of them, the reversion or remainder expectant to the first son of the said Anthony and to the heirs male of such first son, and for want of such issue to the heirs of the body of the said Anthony and for want of such issue then to the right heirs of the said Anthony, of or in one capital messuage called Thickthorne and divers other lands, woods, etc., containing about 400 acres being in the town & parish of Hethersett aforesaid. The aforesaid Anthony & Martha his wife are both dead and Stanley Flowerdewe the only son of the said Anthony is dead also without direct heirs, so that the aforesaid messauge & lands ought to descend to the plaintiff by virtue of the said entail in remainder upon the aforesaid Anthony Flowerdewe and the heirs of his body, he being son & heir of Marie Rossingham the wife of Dyonis Rossingham, gentleman, and daughter & heir of the said Anthony Flowerdewe. The plaintiff further shews that Edward Flowerdewe of Stanfield co. Norfolk, formerly one of the Barons of the Exchequer, being a near kinsman of the said Anthony was entrusted by him with all the deeds, court rolls & evidences concerning the premises and concerning other lands belonging to the said Anthony, for want of which deed the plaintiff although heir in tail to the said messuage & premises, being now out of possession, is entirely prevented from recovering the same. All the said deeds & evidences have come into the hands of the defendant, whose grandfather Sir Thomas Knevett was executor to the said Edward Flowerdewe to whom they had been entrusted by the said Anthony.

Answer dated the 27th November 1640.

The defendant says that he does not know of what lands the plaintiff was seised, or whether he is heir to the said messuage & lands. Neither does he know whether his grandfather was executor to Baron Flowerdew or if the said Baron was entrusted by Anthony Flowerdewe with his deeds. But this defendant has in his custody divers evidences & deeds which were in the custody of his grandfather Sir Thomas Knevett concerning the premises named in the bill, and he believes they formerly belonged to the Flowerdews. He is quite willing to deliver the said deeds to the plaintiff, as he thinks they may be of much advantage to him in clearing his title to the premises in case he shall prove to be the heir as is alleged in the bill.


John Flowerdew, esq. of Hethersett, co. Norfolk
Edward Flowerdew of Stanfield, co. Norfolk, a Baron of the Exchequer
Elizabeth dau. of Wm. Foster of Windham
William Flowerdew
Edmund Flowerdew
other sons
Anthony Flowerdew
Martha=Captain Godfrey Garrett
a daughter who married Thomas, son of Sir Robert Shilton, knight.
Stanley Flowerdew died 1620 without heirs
Mary=Dyonis Rossingham gent:
Temperance Flowerdew=M. 1st. Sir George Yardley
2nd. Francis West
Edmund Rossingham
Argoll Yardley
Francis Yardley
Elizabeth Yardley

THE GOODRICHES OF ISLE OF WIGHT COUNTY, VIRGINIA.

By FAIRFAX HARRISON.

I JOHN GOODRICH (1618-1698) of Isle of Wight County, Virginia, planter, was in the colony in 1638, for in March, 1698, at the age of 80, he made a deposition, which survives in the Isle of Wight records, as to events in the colony 60 years before. He died a few months later, for his will, dated August 30, 1695, was proved June 9, 1698. This will names his son.

II JOHN GOODRICH (1652-1695) of Isle of Wight County, proved June 9, 1698. This will names his son

III JOHN GOODRICH (?-1749) of Isle of Wight County, who, by his will proved June 1, 1749, names a son John, probably the

IV JOHN GOODRICH (1722-1785) of Nansemond, who m., 1747, Margaret, dau. of Joseph and Agatha Bridger, and died at Grove House, Topsham, in Devon. There is a monument to him and his family in Topsham Church. He was a merchant and shipowner in a large way of business at Norfolk, Virginia, trading as John Goodrich & Co. In 1775, at the outbreak of the American Revolution, he sided at first with the revolutionary party and imported gunpowder for their use, but subsequently was won over to the loyalist side by the Governor Lord Dunmore. He was then imprisoned and such of his property as could be found was sequestered, but eventually he was released and went to England, with his wife and several of his sons, as shown by his monument at Topsham. One of his sons, Edward, fought on the revolutionary side and his sons served in the Continental army and Virginia militia. For John Goodrich and his family see Sabine, *Loyalists of the American Revolution,* I, 481, and *Va. Mag.,* XV, 160, His daughter

V AGATHA WELLS GOODRICH (1752-1838), of whom a miniature portrait is preserved at Tor Abbey in Devon, m. Robert Shed-

den (1741-1826), who in 1776 was a merchant at Portsmouth in Virginia. Supporting the loyalist cause, his property in Virginia was sequestered, like that of his father-in-law. He removed to Bermuda and subsequently to New York, where he resumed business. When the British evacuated New York, he removed to London, where he established a commercial house "of the highest respectability," and prospered. He died in 1826 and is buried in Paulerspury Church, where there is a monument to him with an elaborate inscription. See Sabine *Loyalists,* II, 294. His widow died at Stalwoods, Isle of Wight, leaving four sons, of whom the second was

VI Robert Shedden, of Brooklands, Hants, whose daughter and heiress

VII Emily Munro Shedden (1804-*post* 1872) m., 1827,

VI Robert Sheddin, of Brooklands, Hants, whose daughter

VIII Millicent Maria Johnes Cary (1829-*post* 1872) m. 1854, John Stuart Coxon, whose son

IX Capt. Lionel Cary, R. N., assumed the name Cary on succeeding to Tor Abbey in 1917 after the deaths of his maternal uncle Col. Lucius Cary, and his cousin? (nephew?) Launcelot Cary (killed in action in Flanders).

NOLAND-HARRISON-POWELL-GILMER— RECORDS FROM FAMILY BIBLE.[1]

Marriages.

Burr Harrison & Ann Barnes married July 31, 1722.
Levin Powell—Sarah Harrison Feb 6th, 1763
Burr Powell—Catherine Brooke Jan 5th, 1792
Lloyd Noland—Ann Whiting Powell Jan 5th, 1814
Lloyd Noland—Elizabeth W. Smith Jan 22nd, 1829
Wm. B. Cochran—Catherine M Powell Noland Nov 5th, 1835
Burr P. Noland—Susan Chaplain Wilson Nov 11th, 1845
R. W. N. Nolan—Mary Louisa Minor Nov 1st, 1843
were married by Rev. R. K. Mead
R. W. N. Noland—Kate Y., dau. of John Spotswood Wellford, married Oct 31, 1861
Robert Grattan Noland—Ann Tarr
Preston Wellford Noland—Rosalie Sinclair Merrill married April 25, 1905, by Rev. R. Grattan Noland and Rev. Jere Witherspoon

Births.

Lloyd Noland, son of Thomas Noland (son of Philip) & Elinor Luckett born Dec 4th, 1790
Burr Harrison Born May 21, 1690
Catherine Brooke " 1737
Levin Powell " 1739
Sarah Harrison " May 14, 1768
Burr Powell " June 9, 1770
Anne Whiting Powell born March 31st 1793
Eliz. W. Smith Sept 25th, 1801.

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[1]The Holy Bible, containing the Old and New Testaments &c., Philadelphia: Published by Kimber & Sharpley, No. 50 North Fourth St. Property of Mrs. Rosalie M. Noland, Richmond, Va.

Catherine Mary Powell, daughter of L. N. & A. W. P. born Nov 3, 1814

Burr Powell " " " " Oct 20, 1818

R. W. N. born Feb 23d 1822

Ann Whiting, daughter of L. N. & E. W. S. born March 12, 1830

Sara Ella, daughter of L. N. & E. W. S. born April 6th, 1832

Anna Lloyd, daughter of L. N. & E. W. S. born April 25th, 1835

Noble Barnedge, daughter of L. N. & E. W. S. born March 3rd, 1838

Richard William Noland, the son of Lloyd Noland & Ann Whiting Powell, was born Feb 23rd 1822

Mary Louisa, the daughter of Peter Minor and Lucy Gilmer, was born 8th July, 1823

Lloyd, son of R. W. N. & M. L. Noland, was born 16th December, 1844

Lucy, born April 12th, 1846

Charles Minor, born Oct. 19, 1847

Catherine, born March 14, 1850

Burr Powell, born January 6th, 1853

Frank Minor, born March 30th, 1855

Robert Grattan, born Jan'y 8th, 1857

Preston Wellford, son of R. W. N. & Catherine Y. Noland, born Feb. 16, 1864. Baptized by Rev. Thomas Walker Gilmer Oct 27, 1866

George Gilmer, son of George Gilmer & Mary Peachy Walker was born 19th of January, 1743, married Lucy Walker, daughter of Thomas Walker & Mildred Thornton (born 16 May, 1751) 27th August 1767.

Peter Minor born 30th June, 1783,

Married Lucy Gilmer, (born 13th Oct. 1785) 31st May, 1806

Hugh Minor, born 31 July, 1807

Edward Minor, born 27 March, 1809

Martha Divers Minor, born 30th Nov., 1810

Franklin Minor " 21st March, 1812

George Gilmer Minor	"	4th Dec., 1816
Peter Carr Minor	"	21st March, 1816
Lucy Walker Minor	"	4th Nov, 1818
Jno Skinner Minor	"	3rd Oct, 1820
May Louisa Minor	"	8th July, 1823

Deaths.

Ann Whiting Noland Jan 21st, 1823
Thomas Lloyd Noland July 4th, 1834
Ann Whiting Noland March 31, 1831
Anna Lloyd Noland April 23d, 1838
Noble B. Noland Nov 28, 1858
Elizabeth W. L. Noland at Glenora Oct 28, 1888
Lucy, dau of R. W. N. Noland Died Dec 19th, 1846
Catherine died March 5th, 1851
Frank M. Noland died January 6, 1873
Lloyd Noland died Nov. 1875
Burr P. Noland died June 22d 1902, New York City.
Charles Minor Noland died at Middleburg, Va., Sept 28, 1913
Robert Grattan Noland Died at Chillicothe, Ohio, April 7, 1916
Died in Middleburg Sept 20, 1859 Mary Louisa Noland
Died in Richmond Nov. 30th, 1886 R. W. N. Noland
Died in Richmond, Va., Feb. 17, 1901, Kate Wellford Noland
Died in Richmond, Va., Feb 4, 1919, at 12:10 A. M. Preston Wellford Noland.

DIARY OF RICHARD N. VENABLE 1791-92.

[Richard N. Venable died in 1838. So his life was spent half in the eighteenth century—he gives the year of his birth, 1763. He was the son of Nathaniel Venable, of Prince Edward County, merchant, a man eminent for character and sound sense, both of which have been found in many of his descendants.

Richard N. Venable was educated at Hampden-Sidney College (then an academy), graduated at Princeton in 1782, studied law at William and Mary, and after a few years of active practice, settled down in Prince Edward County, more as a man of plantation affairs, perhaps, than as a lawyer. He served several terms in the Legislature, and was a member of the Convention of 1829. From 1792 until his death he was a trustee and supporter of Hampden-Sidney College. Mr. Venable, throughout his career, was interested in internal improvements—by river, canal, and railway.

These few extracts from a lawyer's diary will throw some light upon the number of lawyers in our Legislatures. The lawyer knew the country up and down, and represented it as a matter of course. That was a very pleasant life in some respects, moving on from court to court, and putting up so often at the houses of good friends. The MSS of this diary is owned by Miss Addie C. Venable, of Hampden Sidney, Va.

A. J. Morrison.]

Jan. 22, 1791. Went to Henry Court 65 miles, from then to Franklin C. H. 37 miles, returned by Sam Calland's to Peytonsburg, 55 miles, from there to Prince Edward 60 miles and returned to Peytonsburg 11 February.

Wednesday 16 February 1791. My birthday. 28 years old. Now living with John Wimbish at Peytonsburg in Pittsylvania.

3 March 1791. Thomas Arthur came on the bench [at Franklin Court], the rest of the court immediately ran off, and left Arthur sitting like an owl on a chicken roost. Arthur left the bench and we proceeded to business.

Saturday 23 April 1791. Returned to Lynchburg, took a survey of the town, improvements were arising fast, three years ago only two or three small houses at the place, now there are numbers of small houses and about 20 very good houses—all things look new, stumps and grubs not taken out of the main street.

May 1, 1791. How attentive this man is (Col. Thomas Read, of Charlotte County) to all his little affairs, as he is pleased to call them—this man at the noon of life appears to have finished the business of the day. There is a pleasure in being not quite so situated and surrounded with conveniences.

May 2. At Col. William Morton's, 10 miles from Charlotte Court House—piety, honesty, & industry, blessed with a numerous rising offspring.

May 4. Came home, 25 or 30 miles, much devoted to reflection.

Sunday 22 May, 1791. Stay at home, devoted to rest, reading, and contemplation. The rest of the family all go to meeting—How delightful is retirement to one whose life is crowded with such frequent scenes of bustle, strife, and jarring opposition.

Saturday 4th June 1791. Gen'l Washington came in the evening [to Peytonsburg, Pittsylvania County]. Stayed at Tavern, set out next morning before sun rise.

Monday 6th June. At Charlotte Court House. Great anxiety in the people to see Gen'l Washington. Strange is the impulse which is felt by almost every breast to see the face of a great good man—sensation better felt than expressed.

Tuesday 7th June. Gen'l Washington arrived at Pr. Edward Court House, all crowding the way where they expect him to pass, anxious to see the saviour of their country and object of their love.

Sunday 12th June. Heard A[rchibald] McRobert preach in the capitol [Richmond].

Monday, 13th. Spent the day in Richmond. Went to view Ross's Canal, which is now making to build mill in fall of James River—prospect of there being great and useful works at a future time.

Tuesday, 14th. General Court and Court of Appeals. This surely is the seat of law learning—courts of justice are here sitting almost from one end of the year to the other.

Sunday 26th June. Reading Milton &c [at Peytonsburg].

June 27, 1791. To Halifax Court. Fell in company with Thadeus Hall(?), and went to his father's with him. Had a full detail from him and a certain Mr. Bryant of their voyage down Tenasee to Muscle Shoals with Z. Cox in April last. As they say, they began a settlement with 25 men on the largest island in the Muscle Shoals, supposed to contain 1000 acres of land. Choctaw Indians are friendly, but are under no apprehension that the whites mean anything more than to trade with them. The plan of Cox & Co. is to hold out the pretence of trade till they are strong enough, and then claim the land under a grant from Georgia.

Aug 3, 1791. At Prince Edward Court House. Spent an hour with Rev. John Smith [late President, Hampden Sidney College]. He talks of going to Philadelphia. Went to F[rancis] Watkins'—consulted of the Yazoo business.*

Aug 6, 1791. Just five years since I began practice of the law.

10th Sept. Prince Edward Court. Z. Cox came yesterday and talked most on Tennessee and Yazoo companies—a junction of the companies proposed. Went in evening with John Watts, Cox, and A. B. V[enable] to Francis Watkins. Spent the evening in discussing the business, nothing resolved.

Sept. 11th, forenoon, same business with Z. Cox to New London—nothing resolved.

10th Oct. 1791. Preparing papers at F. Watkins' for Yazoo comp.

Oct. 15. Abraham B. Venable [brother of Richard N. Venable] set out to Congress. Walter Coles and William Watkins accompany him, who are now going to finish their education at Princeton.

9th Dec. 1791. Went to Ginning's Ordinary [Amelia County] found him and his company drunk. Spent the evening like a stranger.

---

*See *Virginia Magazine of History*, etc., July, 1912. Extracts from acc't book of Francis Watkins, showing something of his business as Treasurer of the Yazoo Company, with names of stockholders.

Richmond, 15th Dec. In the evening attend the play with a number of old acquaintances.

17th. Play again—much entertained with the scenery and painting representing a shipwreck.

Jan. 1, 1792. To Mrs. Coles, 27 miles, on way to Charlotte Court. Surely this is the seat of industry, virtue and economy. How wide is the contrast betwixt the dwelling of these, and the habitation of sloth, vice, and extravagance. Those are the outlines, it is the business of imagination to finish the picture.

May 10, 1792. Spent the day at Mr. Henry's [Patrick Henry]. Mr. Henry is getting old and has many family cares.

May 15, 1792. Mecklenburg Court. In evening with Mr. Byrne [James Byrne] to Charles Kennon's, a kind hospitable man who married Robert Munford's daughter, and now lives where Munford formerly did. I take a view of the improvements made by Munford, all of which have the appearance of magnificence, but alas how changed! I see also Mrs. Munford who gives us a family history, but these republican days have defaced it much.

17 May. Came up to a sermon near McKentree's Bridge on Banister [Halifax County], heard Kelly preach, a Methodist and a man of no small share of eloquence—well pleased with the sermon.* Home, 14 miles from James Bruce's [on Terrible Creek].

30th May. Very little tobacco planted.

June 11th. Locusts all gone—appeared May 2.

Petersburg 24 June 1792. Go with some of the merchants to church. This is St. John's Day. The Masons parade in form. Afternoon, go out to old Mr. Richard Taylor's where I spend the evening.

Oct. 8, 1792. With A. B. V[enable] at F. Watkins'—there David Ross, his son James N. the subject of Yazoo prospects employed our attention.

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*This must have been James O'Kelly, who about 1792 began his Republican Methodist movement, and carried many people with him in Southside Virginia. Bishop Ravenscroft, for instance, was for some years a Republican Methodist.

HISTORICAL AND GENEALOGICAL NOTES.

SIR JOHN CLAY.—In Volume XXII of *William and Mary Quarterly* a deed is published from the records of Hanover County, dated October 7, 1794, in which the Rev. John Clay, father of Henry Clay, is styled *Sir John Clay.* A similar reference occurs in the records of Chesterfield County Book 8, p. 175. As there is no evidence that the Rev. John Clay inherited the title from his ancestors, or was himself distinguished in that way by any sovereign, it would seem that the use in this case was a remarkable instance of survival of a custom in the Middle Ages. Mrs. M. H. Burrell, of New York, in a recent letter to the editor, calls his attention to the fact that "Sir" was a term arrogated to himself by the parish priest. Instances of its use are recorded by the Oxford Dictionary, and sometimes to the disparagement of the clergy. What makes the case of *Sir John Clay* remarkable in the Virginia Records is: (1) Its use so many years after the latest example given in the Oxford Dictionary; (2) Its uniqueness, as it is the only instance of such use in the Virginia Records; (3) That it is applied to a minister of the Baptist Church, which had little leanings to aristocratic pretentions; and (4) that he was the father of the great commoner, Henry Clay.

On the other hand, these very facts render the explanation suggested by Mrs. Burrell exceedingly unsatisfactory to Rev. S. O. Southall, of Hanover C. H., Virginia, who compiled the abstract of the Hanover records for the *William and Mary Quarterly Magazine.* Several family records of the Clays do carry back the tradition of a *Sir John Clay* to an earlier John Clay, the immigrant, and whether the tradition is founded on fact or not, Mr. Southall prefers to find in this belief an explanation of the title as applied to Rev. John Clay in preference to the solution proposed by Mrs. Burrell.

ANECDOTE OF JOHN RANDOLPH.—When Mr. Randolph came before the Legislature for re-election in 1826, for United States

Senator, he was defeated by John Tyler, then Governor of Virginia. The election was the occasion of much excitement in Virginia, and some acrimony was injected into the affair by the newspapers. Notwithstanding this, when the two met not long afterwards at the Richmond races, Randolph approached the Governor with extended hand and said: "And how is your Excellency, and when I say your Excellency I mean *your excellency.*" Mr. Randolph had been much condemned for vituperative speeches in the Senate, but this showed that he could do the generous act as gracefully as any man; and Mr. Tyler always spoke of his words with a smile of pleasure. (This anecdote was told the Editor by President Tyler's widow, the late Mrs. Julia Gardiner Tyler.)

CURLE.—In Vol. IX, p. 124, of *William and Mary Quarterly,* an account is given of the Curle family of Elizabeth City County. The father of the immigrants, Thomas, Pasco and Samuel Curle, has been since disclosed by an entry in the *Heraldica,* Vol. I, 3d Edition. Under the head of the "Skinners' Company, Apprenticeships," is entered 1664, Pasco Curle, son of Nicholas, of Lewes, Sussex.

BASSETT FAMILY.—In his interesting book "The Ancestry of Benjamin Harrison, President of the United States 1889-1893," Mr. Keith traces the Virginia Bassett family to William Bassett of Newport in the County of Southampton, Yeoman, "who was buried Dec. 4, 1646. The emigrant William Bassett, his supposed son, who came to Virginia and was a member of the Council, calls himself on his tombstone as "of the County of Southampton in the Kingdom of England." In his will he names his nephew Joseph Foster, to whom he leaves a neck of land purchased of John Pouncey, between Diascon and Mr. Richmond Terrell's, New Kent County; and 6000 lbs. of tobacco each to his two nieces Ann and Mary Foster, when of age or married. The will was dated August 28, 1671, and proved Jany. 4, 1672. The executors were "my deare Brother Nathaniel Bacon Esquire" and Mr. George Lyddall. There is in the York Co. records a power of attorney from Anne Bannister, wife of Moses Bannister, of Newport, in the Isle of Wight, in the County of Southampton, Butcher, and Mary Foster of the same

place, spinster, to Capt. Matthew Rider, of London, mariner "Comander of the Ship Barnabie, now bound for York River" "to collect of Coll. Nathaniel Bacon Esq and Mr. George Lyddall, executors of William Bassett, late of the Parish of Blissland in the County of New Kent deceased, or either of them, the severall legacies of 6000 pds of tobacco & caske apiece given and bequeathed to each of us the said Ann and Mary by the last will and testament of the said William Bassett." This power is dated April 2, 1685, and was proved in York Court March ye 24, 1685-6. Joseph Foster, Col. Bassett's nephew, resided in the adjoining parish of St. Peter's, New Kent Co., and was captain, colonel, &c. In the parish register are various entries of the Fosters. (See Wm. & Mary Quarterly, II., 219.)

BOOK REVIEWS.

The Conquest of the Old Southwest. By Archibald Henderson, Ph. D. C. L. New York, The Century Co. 1920.

This is a book of 395 pages dealing with the subtle problems of the back country of Virginia and the Carolinas. And well has Dr. Henderson done his work, and it was no ordinary work that had to be done. We can almost imagine that the old spirit of the pioneers have entered into his soul—such enthusiasm has Dr. Henderson thrown into his sentences. Too long have Jamestown and Plymouth Rock attracted the attention of the historian! Here in the settlement of the mountains and the westward migration to the Mississippi and the Ohio, Dr. Henderson finds the real history of the growth and evolution of the American democracy. A simple review of the notes and bibliographies stated in the back of the book shows the incredible labor to which he has subjected himself in evolving from countless loose items a connected narrative of romantic and thrilling interest. There is in the mingling of the deeds of the trader, the hunter, the land speculator, the Indian fighter—deeds of heroism, deeds of daring, deeds of supreme self-sacrifice, and deeds also of lawlessness—something which suggest to us at once the presence of the heroic patriot and the unscrupulous representative of private interest. The settlement of the old Southwest was a stage in the irresistible tide of migration of peoples seeking room for expansion and economic independence. It constituted the beginning of our national existence as an American people, and was followed by wave after wave of settlement westward across the American continent till with the exhaustion of the cultivated free land between the Appalachian range and the Pacific Ocean the emigrations have lost the old spirit of adventure.

In Dr. Hendersôn's attractive book we are introduced to many well know characters—to Dr. Thomas Walker, of Albemarle, the explorer of Kentucky; to Daniel Boone, the Kentucky pioneer; to Richard Henderson, the founder of the Transylvania Company; to John Lewis, to James Robertson, and to many other of the makers of history. In those days conditions were so new that States had no meaning to the emigrants. Richard Henderson is called a North Carolinian, but he was born in Hanover County, Virginia, and so were John Lewis and James Robertson both natives of Virginia. Daniel Boone was born in Pennsylvania, and he was no more a North Carolinian than the Scotch-Irish were Pennsylvanians, because they abided in Pennsylvania a short time, or the Germans Virginians because they settled in the upper counties of the Virginia Valley. Dr. Henderson

claims that the prime determinating principle of the progressive American civilization of the 18th century was the passion for the acquisition of land—perhaps he should have said "better land." The love of power and riches lay underneath it all. The book is a great one and should have an extensive circulation.

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Vol. II. No. 3. JANUARY, 1921

Tyler's Quarterly Historical

and

Genealogical Magazine

Editor: LYON G. TYLER, M. A., LL. D.

Tyler's Quarterly Historical and Genealogical Magazine

Vol. II. JANUARY, 1921. No. 3.

NOTICE

Owing to an error, the pages of the July issue were numbered as in continuation of the last volume. The paging of the October issue proceeds as if the July issue was correctly numbered from 1 to 72.

Owing to the high cost of printing, the editor finds it necessary to advance the price of this magazine, beginning with the July number, 1920, from $3 to $4 per year. Single numbers will be sold at $1.25.

As back numbers of the old William and Mary College Quarterly, which was the original name of the present magazine, have become very scarce, single copies, as far as had, may be obtained for $2 a-piece.

Address all communications to LYON G. TYLER, 711 Travelers Bldg., Richmond, Va.

CONTENTS

Propaganda Again 146
Mr. Jefferson and His Detractors 151
John B. Floyd—A Defence 154
Virginia and North Carolina at the Litchfield Law School 157
Rebellious Song 159
Charles City Co. Petitions 160
James City County Petitions 177
Formicula-Stuart-Bankhead 194
Record of the Smith Family 196
Williamsburg in 1805 201
Wigs 203
York County Records 204
Historical and Genealogical Notes 207
Lincoln and Fort Sumter 208

Tyler's Quarterly Historical and Genealogical Magazine

Vol. II. JANUARY, 1921 No. 3

PROPAGANDA AGAIN.

In the April number of this Magazine there was an article entitled "Propaganda in History." The article was later revised, published in pamphlet, and sent out to many of America's foremost scholars. It contained a protest against the spirit which has entered American life too generally, poisoning the well of truth, and bringing history into disrepute. From a Northwestern University comes a reply from an able professor: "The problem is a serious one, as you point out. I am with you, I will stick by my guns, and speak and write according to my research, but the appreciation one gets is indicated by the knocks that one gets on all sides." Another gentleman from a Northeastern College of much dignity and reputation writes: "Certainly we should put a guard on ourselves and help to restrain the unscientific and unhistorical spirit of others."

Still another gentleman, who is celebrated as a philologist and had been connected with some of America's greatest universities, speaks of the pamphlet as "an illuminating and convincing protest." Finally, a fourth, who stands in the front rank of American historians, commends the pamphlet for its "pungency and veracity."

In this issue an additional comment on the propaganda evil may not be out of place. The pamphlet referred to divided propagandists into two classes: the "sinners" and the "victims," and an apt case of each has recently presented itself to the editor's attention. A good instance of the sinner is afforded by Mr. Robert H. Murray in the *Edinburgh Review* for October, 1920. This gentleman publishes an article on the "Pilgrim Fathers," which

is so full of inconsistencies that it is impossible to class him among the innocent.

The article has the customary way of snubbing out of existence both Jamestown and its popularly elected House of Burgesses of 1619, the first expression of democracy on this continent, and concludes with the statement:

"But for the Pilgrim Fathers the speech of Shakespeare and of Bunyan would not be spoken half the world over. Our blood is in the veins of the Americans; our law is in their Courts and our faith is in their hearts."

Here it is; all Americans are descended from the Pilgrim Fathers! One wonders at such logic, for if the Virginia settlement had no influence on the Pilgrim settlement, why should the settlement in Maryland, or South Carolina or Pennsylvania or New York be dependent on the Pilgrim Fathers?

Then take this paragraph:

"They (the Puritans) believed in liberty, even if it was only the liberty to worship God in their own fashion. They believed in equality, but it was the equality of the elect before God. They believed in fraternity, though they refused to think that wisdom was to be discovered by counting the heads of the brethren."

What is this but in the same breath representing the Pilgrim Fathers as both lovers of liberty and tyranny, as champions of equality and inequality, and as believers in both democracy (fraternity) and aristocracy. Such ideas are destructive of one another, and the plain truth is that the Puritan State had nothing of real freedom, equality or democracy about it. Indeed, few countries ever had a more despotic government than the New England colonies during the 17th century.*

When our writer discusses the Mayflower compact he described it as "a constitution—the first in New England or old

*In his "Fathers of New England," Volume VI., of the *Chronicles of America*, Dr. Charles M. Andrews, professor of History at Yale College, says: "By no stretch of the imagination can the political conditions in any of the New England colonies be called popular or democratic. Government was in the hands of very few men."

England." But it was no such thing. It was a covenant only, in accordance with which the 41 signers agreed to live together in a body politic, and by virtue thereof "to enact, constitute and frame such just and equal laws, ordinances, acts, constitutions and offices, from time to time as shall be thought most meet and convenient &c., unto which we promise due submission and obedience."

Now these very words show that the compact proclaimed neither laws, ordinances, acts, constitutions nor even offices. These things were yet to follow, and as a matter of fact the Mayflower compact did nothing more than what was done in the case of all the companies contemplating settlement in America. The persons interested must have first assembled, organized as a body politic, and drawn up a paper in which the powers they wished to exercise were clearly outlined. The signature by the King conveyed only his sanction to their previous action.

In the case of the Pilgrim Fathers the powers assumed under the Mayflower compact were little more than those granted under the patent obtained from the London Company, Feb. 12, 1620, and under which they sailed to America, for that too authorized them to make "orders, ordinances and constitutions for the better ordering and dyrecting of their servants and business," not repugnant to the laws of England.*

Indeed, the Pilgrim Fathers were so far from thinking that they had done anything out of the ordinary that they made haste the very next year to seek and obtain from the Plymouth Company, under whose dominion they found themselves, a charter incorporating them into a body politic with the power "to establish such laws and orders as are for their better government." And under this charter and another they obtained in 1630, with broader powers, they lived out the brief period of their existence as a colony.† And Palfrey says that a royal charter was much desired by them.

Be that as it may, the fact remains that the Mayflower compact created neither a government nor a constitution, if by that is

*Records of the Virginia Company, I., 303.

†Palfrey, *New England*, 1, 194; 382.

meant "a plan of government." Nor was democracy born with the compact. Whether the government was to be a monarchy, an aristocracy or a democracy had yet to be determined.

When the government got into operation, it was an aristocracy. The right to vote at Plymouth was limited, and in 1643, while there were 600 persons on the military list, only 230 persons were allowed the ballot.* The Plymouth Colony was soon swallowed up by the great Massachusetts Bay Colony, where the power over the hundreds of freemen and servants that came with Endicott and Winthrop in 1628 and 1630 was exercised at first by only eleven persons; and though that number was shortly increased, citizenship was construed as a privilege and not a right, and made to depend upon membership in the Congregational Church. During most of the 17th century five-sixths of the people were deprived of the ballot, a condition not very much changed down to the American Revolution. So stubborn indeed was the power of the aristocracy maintained, that the people of Rhode Island had to rise in rebellion in 1842 to break up the inequality surviving in the freest of the New England States.

The other writer whom I choose to regard not as a "sinner" but as a "victim" of Propaganda, is Dr. N. W. Stephenson, born in Ohio, and now holding the chair of history in Charleston College, South Carolina. This gentleman is an amiable example of a really strong scholar, who yet finds himself unable to resist the Lincoln Propaganda. He does not wholly subscribe to the deification of the martyred President, but that the Propaganda octopus has him in its strong grasp is shown by his distortions of history in the following closing paragraph of his "Abraham Lincoln and the Union," forming Volume XXIX, of the *Chronicles of America.*

"The passage of sixty years has proved fully necessary to the placing of Lincoln in historic perspective. No President, in his own time, with the possible exception of Washington, was so bitterly hated and so fiercely reviled. On the other hand, none has been the object of such intemperate hero-worship. However, the

*Plymouth Records VIII, 173-177; Palfrey, *New England*, II, 8.

greatest of the land were, in the main, quick to see him in perspective and to recognize his historic significance. It is recorded of Davis that in after days he paid a beautiful tribute to Lincoln and said, 'Next to the destruction of the Confederacy, the death of Abraham Lincoln was the darkest day the South has known.' "

In this paragraph the suggestion of a compliment to Lincoln is evident. The words are so stated that they appear to carry an authoritative and convincing decision. Under the pretext of a mere fellowship of abuse, Lincoln takes his stand by Washington, and the perspective of sixty years is illumined with a "a beautiful tribute" to Lincoln from his old arch enemy Jefferson Davis. But the suggestion is controverted by the facts, and on slight examination Dr. Stephenson's splendid fabric of eulogy melts and vanishes.

Lincoln was abused, but why the comparison with Washington, unless it was to enhance Lincoln's importance? It is not true that Washington was abused more than any of the Presidents. Hundreds of contemporary writers pay their veneration to Washington, and the abuse comes from a few intemperate politicians like Freneau and Callender. Thomas Jefferson, John Quincy Adams, John Tyler, James Buchanan and Woodrow Wilson were far more intemperately abused than ever Washington was, though this fact itself counts for little in derogation of their character. What an enemy says is not worth considering, unless supported by strong disinterested evidence. Dr. Stephenson fails utterly to see that Lincoln is the one case of a president against whom the severest criticisms come from his intimate friends—Lamon, Herndon, Don Piatt, McClure, and cabinet members of his own appointment—Seward, Stanton, Chase and Blair. Nothing like veneration for him was expressed during his life time, making his case conspicuously different from that of Washington and Jefferson.

And as to "the beautiful tribute" passed by Mr. Davis on Lincoln, only a victim of Propagandism could find a compliment to Lincoln in the words of the Ex-Confederate President. If Mr. Davis is correctly quoted, as I presume he is, he referred merely to the opportunity which Lincoln's assassination gave to the South haters in the North to carry through their plans of reconstruction.

With one joyous shout these venomous representatives of the worst passions of the country classed all Southerners as assassins with Booth. And gleefully they went to work to put all former rebels under the heel of the military and the ignorant negro. Had Lincoln lived, though there is little assurance that he would have successfully opposed any plan of the radicals, the necessary stimulus to excessive cruelty afforded by the action of Booth would have been lacking.

Mr. Davis had excellent personal reasons to regret the death of Lincoln. On the charges of a band of scoundrels hoping to get a reward, and whose leader, one Connover, was subsequently landed in the penitentiary at Albany, Andrew Johnson issued a proclamation that the death of Lincoln "was incited, concocted and procured by and between Jefferson Davis" and certain other well known Confederates, and offered a hundred thousand dollars for his apprehension. And perhaps not even Davis' generosity to an enemy could quite overlook the fact that Booth's unfortunate shot would be almost certain to assure to Lincoln an estimate in the eyes of the North far beyond his actual worth.

Undoubtedly then the death of Lincoln proved "a dark day," not for the good Lincoln had done to the South or would have done, but for the evil that others did do and have done, among whom the propagandists of the present day are not the least guilty.

As a matter of fact, Lincoln's character is not to be determined by those speeches and messages of his which were dressed up for the occasion, but by his private conversation and his public and official acts. The evidence is overwhelmingly that he positively revelled in impure suggestions, and that as a statesman he was vacillating and unstable, lacking in proper pride and self-respect, and, while not naturally venomous like Thaddeus Stevens and Charles Sumner, callous to the obligations of humanity as defined in the International Law. There is little doubt that had the entire wiping out of the Southern people, or the failure of his war, presented itself to him, he would have unhesitatingly adopted the former alternative. We have his own words to this effect, when on August 3, 1862, he declared to his cabinet that "he was pretty well cured of any objections to any measure except want of adaptedness to putting down the rebellion."

MR. JEFFERSON AND HIS DETRACTORS.

In the Richmond *Enquirer* for 1805 appears a series of editorials defending Mr. Jefferson from attacks levelled against him by Federalists relating to his conduct of the government of Virginia during the American Revolution. Owing to the difficulties of his situation, which were not at the time fully understood by everybody, some dissatisfaction, of which Mr. George Nicholas was spokesman in the House of Delegates, was manifested in 1781, when the States was invaded by the British under Arnold and Cornwallis. The House on June 12, 1781, adopted a resolution that an enquiry be made into "the conduct of the executive of this State for the last twelve months."

Mr. Jefferson demanded and courted an enquiry, and so in November of the next session the House appointed a committee consisting of John Banister, John Tyler, George Nicholas, Turner Southall and Haynes Morgan to report to the House any charges against Mr. Jefferson, if any could be found. And although Mr. George Nicholas, as is seen, was a member, the committee unanimously reported that the rumors in question were "groundless," and, thereupon, on December 19, 1781, the sincere thanks of the Senate and House, constituting the General Assembly, were voted Mr. Jefferson for his "impartial, upright and attentive administration of the powers of the Executive while in office."

John Tyler, a member of the committee, was made speaker December 1, and when the committee reported, it was made his duty to voice the thanks of the assembly to Mr. Jefferson from the speaker's chair, which he did in "a warm and affectionate manner."

In the "Vindication," in the *Richmond Enquirer** the following letter from Judge Tyler is printed:

"Mr. Jefferson finding at the end of the second year of his administration, in 1781, that some people were discontented with his conduct with respect to Arnold's and Cornwallis' invasions declined offering for the office of Chief Magistrate, but neither

*Richmond Enquirer, Sept. 10, 1805.

resigned nor refused the acceptance of it. His particular friends, however, expressed a wish to appoint him again; but on its having been moved that an enquiry should take place the succeeding session into the conduct of the executive for the last year, nothing more was said on the subject, but General Nelson, who then was at the head of the militia, was elected Governor. Mr. Jefferson was sent to the Assembly in the fall or spring following and there called on the house for the threatened examination in a very handsome address, but by this time even those who thought him culpable began to think otherwise on a real reflection and a better information, and the house, by a general vote, directed their thanks to be delivered to him from the chair, by John Tyler, then their speaker, who did it accordingly in a warm and affectionate manner.

The appointment of General Nelson was at Staunton, where the Assembly sat. Mr. Jefferson I believe was immediately sent to Congress, and from thence to France, where he continued seven years, discharging his important affairs, highly to the interest of his country, and greatly to the satisfaction of the government of France. Richmond, September 9, 1805. John Tyler."

After this, for many years these charges of inefficiency in the gubernatorial office were entirely suppressed, and Mr. Jefferson passed from post of honor to post of honor, serving as member of Congress, minister plenipotentiary to France and Secretary of State under Washington. But in 1796 Mr. Charles Symmes, of Alexandria, a virulent Federalist, revived the old exploded charges, and was answered by Mr. Jefferson's friends, who drew the record on him.

It appears rather queer that, when soon after John Adams came in as President, he should so flout a man holding the vice-presidency, as to appoint Symmes, his worst detractor, collector of the port of Alexandria, then the most lucrative Federal office in Virginia.

The tale was next handed over to Mr. William Smith, a Federalist of South Carolina, who with a view to influence the election in that State represented it with additional coloring in his pamphlet styled *Phocion*.

Was a signal service like this to be treated with ingratitude?

Adams appears to have thought not. "This furbisher of refuted falsehoods, this shameless fabricator of extracts of letters," was soon tricked out by Adams in the honorable garb of minister to Turkey.

The administration of John Adams came to an end in 1801, and Jefferson succeeded to the Presidency. The muck rake was laid aside for a time, but once more got busy at the beginning of Jefferson's second term. By that time there was little left of the Federalist party in Virginia; but such as was left survived in the persons of some of the most embittered partisans to be found anywhere in the Union. One of these was Thomas Turner, who, making many ugly additions to the old story, went so far in a letter to a sympathetic correspondent in Boston as to declare the great Jefferson "a dastardly traitor to the trust reposed in him."

Symmes, Smith and Turner richly deserved some punishment for their misrepresentations and ugly temper, but true to his political beliefs, instead of turning Symmes out of office, and putting Turner into prison, as Adams had done his defamers, Mr. Jefferson was content to leave to his friends the matter of refuting the calumnies in the newspapers. Symmes remained in the office which Adams bestowed upon him, and Turner was merely turned over to the pen of Thomas Ritchie, Editor of the *Richmond Enquirer*.

JOHN B. FLOYD—A DEFENCE.*

Norfolk, Va., April 15, 1912.

To the Editors of *Harper's Weekly*:

An article on Sumter in your issue of April 8, 1911, says: "Chief counsellor to the President, and really at the front of military affairs as Minister of War, was a subtle schemer who foresaw what was to come and was making plans accordingly. John B. Floyd, taking advantage of the powers of his office and the pro-Southern attitude of the majority of the Cabinet, had scattered the little army of the United States to far-off posts or positions where they would fall an easy prey to organized attack. Throughout the Southern armories he had distributed vast quantities of arms and ammunitions of war, free gifts to the states that were soon to rise."

This charges two acts of faithlessness to his official duty: (1) exposing the army, (2) transferring arms and ammunition.

As to the first charge on December 6, 1875, Adjutant General Townsend showed that the changes in the stations of troops during Floyd's incumbency were unimportant. (Vol. I., *Battles & Leaders of the Civil War,* p. 7). If the charge was true, why did not Floyd's successor, Judge Holt, change them? He had ample opportunity, and most of the troops captured by the Confederates had been transferred to the danger point by him. (Serial number 122, *Official War Records,* p. 23). Was he also a "subtle schemer?"

As to the second charge, Judge Black—Buchanan's close friend and no friend of Floyd—says: "A Committee was appointed by

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*In the *Richmond Dispatch* for August 7, 1911, appears a letter of Mr. Robert M. Hughes on somewhat similar lines, which was offered to *Harper's Weekly,* but not published. Subsequently *Harper's Weekly* published the above letter in its issue of May 11, 1912, and it is reproduced here, with the consent of the editors as also of Mr. Hughes, because of its historic value.

the House in January, 1861, to ascertain how the public arms distributed during the year 1860 had been disposed of. Mr. Floyd was not present at the investigation, he had not a friend on the Committee; it was organized to convict him if it could. It reported the evidence but gave no judgment criminating him. On the contrary, the opinion was expressed by the Chairman that the charges were founded in rumor, speculation and misapprehension." . . .

"There was a law for the distribution of arms among the different states for the use of their militia. Under it the Ordnance Bureau, *without any special order from the head of the department* gave to each state that applied for it, her proper quota of muskets and rifles of the best pattern. During 1860 the number distributed was 8423, of which the Southern states received 2091 and the Northern 6332. Long range rifles numbering 1728 were also distributed, and all went to Northern States except 758, which went to certain Southern States. . . . The fact that the Southern States neglected to take their quota satisfied the Committee that there could have been no fraudulent combination in 1860 between them and the War Department. That concluded the case, since it was impossible for a sane man to believe that such a plot could have been formed and acted upon at a previous time and yet had no existence in the year immediately preceding the war. But the Committee went back, and it was proved that, in 1859, before any war was apprehended, before the election of Lincoln was dreamed of, Floyd ordered a transfer of 115,000 muskets from Northern to Southern arsenals. . . . These arms were worthless and unserviceable. . . . We had 500,000 of them . . . and Floyd ordered 115,000 to be sent to the South, doubtless for mere convenience of storage." (Black's *Essays,* 266 & seq.)

That Floyd had no such motive for the transfer is shown by the following facts:

(1) He was then opposed to secession.

(2) He was a Virginian, and not a musket of the lot went to Virginia.

(3) He knew the splendid material for cavalry in the South.

Yet not a sabre, carbine or revolver was sent to the South by his order.

(4) He knew the South's poverty in field artillery, yet did not send a piece South.

(5) No ammunition was sent by him. (Curtis's *Buchanan,* Vol. II., p. 416).

If it was wrong to send arms South in 1859 and 1860, it was worse to leave them there early in 1861. Yet the inventory of the Norfolk Navy Yard for July 1, 1860 showed $654,526 of stores: and for April 10, 1861 it showed $664,884.

Were Secretaries Toucy and Welles also "subtle schemers "

This same article quotes the concluding part of Floyd's telegram to Anderson (authorizing him to surrender rather than sacrifice his command), and implies that it was an insinuation to Anderson to betray his trust.

The fact is that this was not in Floyd's original draft, but was added by Buchanan ten days later. (Crawford, *Story of Sumter,* pp. 73-5).

In your issue of February 17, 1912, on the Fort Donelson fight in February 1862, it is stated that Floyd was then under a federal indictment. The statement is not true. Floyd resigned on December 29, 1860. On January 25, 1861, he was indicted for alleged complicity in the abstraction of certain bonds of the Indian Trust Funds in the Department of the Interior. He was also indicted for alleged malversation in office. On hearing of it, he returned to Washington, gave bail and demanded a trial. On March 7, 1861, the Court records show the following order on the complicity charge:

"In this case, there being no proof to sustain the charge, a *nolle prosequi* is entered."

The Court records also show that the malversation charge was quashed by the Court on March 20, 1861.

Robert M. Hughes.

VIRGINIA AND NORTH CAROLINA AT THE LITCHFIELD LAW SCHOOL.

By A. J. Morrison.

The Law School at Litchfield, Connecticut, established by Judge Reeve before the Revolution and continued by Judge Gould until about 1833, was a famous log institution, and not more imposing physically than many of our 'two-room' schools now under ban. Reference is had occasionally to the fact that some Virginian or North Carolinian followed studies at the Litchfield School. It will be of interest to many people to have a full list, as accurate as possible. That given below is taken from Dwight Kilbourne's *Bench and Bar of Litchfield County,* published in 1909. School catalogues were not numerous before 1825. The first catalogue (apparently a general catalogue) of the Litchfield School was issued in 1828, the conspicuous Tariff year, when the Southern patronage of the school fell off sharply.

Chancellor Wythe died in 1806. The trend to Litchfield began soon afterward. Of the students there from the two states, twenty-one from Virginia and twenty-one from North Carolina, not many were what are called big guns in after life. We may fancy that most of them were Federalists.

1811.	John Davis	Virginia.
——	Thomas G. Polk	North Carolina.
1812.	Isaac T. Preston	Virginia.
1813.	Stephen Cambreling	North Carolina.
——	Thomas Devereux	North Carolina.
——	William F. Taliaferro	Virginia.
1814.	Arthur H. O'Hara	North Carolina.
1815.	John B. Davies	Virginia.
——	Thomas P. Devereux	North Carolina.
1817.	George P. Devereux	North Carolina.
——	Joseph C. Kerr	North Carolina.
——	John Y. Mason	Virginia.
——	Boyer F. Miller	Virginia.

——	Edmond Wilkins	North Carolina.
1818.	Francis L. Hawkes	North Carolina.
——	Tipton B. Harrison	Virginia.
——	Joseph R. Lloyd	North Carolina.
——	Ethelred Lundy	Virginia.
——	William H. McFarland	Virginia.
——	James H. Smith	North Carolina.
——	James S. Taylor	Virginia.
1819.	Robert McCauley	Virginia.
——	Alpheus Gustin	North Carolina.
——	Joseph A. Hill	North Carolina.
1820.	John L. Wilkins	North Carolina.
1821.	William J. Mason	Virginia.
——	John J. Vanmeter	Virginia.
1823.	Benjamin B. Hawkes	North Carolina.
——	Arthur A. Morson	Virginia.
——	William B. Nuttall	North Carolina.
——	Edward Pasteur	Virginia.
——	John Wager	Virginia.
1824.	John L. Wight	Virginia.
1825.	Benjamin Lowndes	Virginia.
——	Reuben Pickett	North Carolina.
1826.	Enos H. Barnes	Virginia.
——	William D. Beckett	North Carolina.
1827.	Robert H. Speed	Virginia.
1831.	Edward D. Winslow	North Carolina.
1832.	David Barclay, jr	Virginia.
——	Hannibal Chandler	Virginia.
——	Bracney T. Spires	North Carolina.

REBELLIOUS SONG.

(From the Records of York Co., Va.)

At a Court held for York County, July the 19th, 1725. Present Lawrence Smith, Graves Packe, Thomas Nelson, Samuel Timson. Gent., Justices.

William Robertson, Gent., attorney for our sovereign Lord King George, informs the court that Elizabeth Hansford, the wife of Thomas Hansford, did publicly sing a scandalous and opprobrious song, highly reflecting upon our said Lord the King, and also did curse and revile our said Lord the King, as in the informacon is set forth, to which she pleaded not guilty, thereupon a jury, to wit: Jones Irwin, foreman, Robert Sheild, John Robinson &c were sworn to try the issue & they haveing heard the evidence on both sides retired & being agreed on their verdict returned to the bar & delivered the same in these words: We find the deft guilty of singing the Song that is expressed in the informacon, which verdict on the mocon of the sd Attorney of our Lord the King is admitted to record, and thereupon it is considered by the court and adjudged that the Deft be fined the sum of twenty shillings for the use of our said Lord the King & ordered that the Defen^{t} & Thomas Hansford her Husband pay the same with costs als Ex^{o}.

Note: Thomas Hansford mentioned in this paper was the grandson of Thomas Hansford, hanged by Sir William Berkeley in Bacon's Rebellion.

CHARLES CITY CO. PETITIONS.

One of the useful works done by the State Library is the arrangement of the petitions presented to the Virginia Legislature, according to Counties. A selection is made from the Charles City Co. Petitions on file in the Archives Department.

PETITION AGAINST THE PAPER MONEY, 1780.

To the Honble the Speaker and the rest of the Members of the house of Delegates,

THE PETITION of sundry freeholders & inhabitants of Cha^{s} City Humbly Sheweth, That your Petitioners from the first rise of the dispute Between Great Britain and her Colonies, have been zealously and Steadily Attach'd to the American cause & on all occasions whereon their readiness to comply every demand of men and Money to support it; having in no Instance fallen short in their quota in either, But on the contrary exceeded in Many, our Zeal is not in the least abated, nor we trust will not abate, Tho we beg leave most humbly to represent to your Hon. house some grievances that we feel, and ill judged Measures that we think have been lately pursued. From what cause they have sprung we will not presume to say, tho the resolutions of both houses imposeing an oath on their members seem to point out one, but trust your Honble house will maturly and impartially consider what we shall urge, and if you find there has been errors you will correct them, and thereby give ease and content to your faithful Subjects, & again unite the whole state in the common Cause, which alone can insure peace and INDEPENDENCE— The first and ultamate wish of us all, Just before the Sittg of the last Assembly we saw some resolutions of Congress recommending it in the strongest terms to the legislatures in the American union to adopt a plan they Proposed of calling in all the Money they had Issued by taxes in the course of one year and Issuing New on funds to be by them established, which was to pay and redeem the old at the rate of one for forty. We cannot but say we thought it impossible that, that Honble body, shou'd be

serious in the demand; or that if they were, it would ever be comply'd with, when we look back to the Several Solemn declarations by them made, that they would redeem their Money agreeable to the Tenor of the Bills. But were much more Surprized when we found The Assembbly of this State, who had also on three Several Occasions made the same declarations as to their quota of Money among the foremost to adopt the Plan thereby as we most humbly Apprehend violateing the public faith & Irreparably destroying the honour of the commonwealth. We look upon it as a maxim not to be Controverted by the deepest Sophisters that a Violation of Publick faith is one great Step to national ruin and we fear its dreadful effects will too soon be felt here, if you in your wisdom do not fall on some Measures to prevent it. The only Plausible reason that we have ever heard for the measure is, that the holders of the Money never could expect to receive a hard Dollar for a paper one which they had obtained for commodities at so much greater price than their real value. We will not presume to argue with you, & shall therefore only remind you, that Congress received for a very great part of this Money the commodities of the Country at their Value in Gold and Silver, and had they required a tax to have been laid Sufficient for the expenditure of the Current year, & an additional one, the produce of which to be destroyed, Advantage might have been taken of the great depretiation of the Currency and the redundancy of the Money is two or three years have been consumed, and the remainder might have been refunded so as to be paid in a number of years with much more ease and conveniency to your people than the present plan proposes. We think it impossible to comply with the Law without ruin to ourselves and families, clearly foreseeing that when we are called on for the last Payment, Money will have risen so much in Value that we shall not be able to procure it in any other manner but by the Sale of our estates which will be bought up by the Money Holders at their own Price. To prevent this we Observe the Legislature has given an alternative in Several Commodities; but it is with deep concern that we find not one of those within our reach. We hope therefore if this Bitter pill must be swallowed you will make it as palatable as Possible by

adding the Article Indian Corn, Which perhaps may save us, but at all events it will shew your Petitioners that you are not partial, & have the same tender regard for your Subjects in the lower parts of the Country, *that you have* for those in the upper. We observe the Money to be issued under this act is not made a legal tender, & that the Two Million Struck by another act is not even to pass in payment of Taxes. What policy cou'd dictate such as Innovation in our Laws we are at loss to say, tho we have been informed that the cry of Justice is the Plea, to whom do you Extend it; to no individual but the enemies of your Country, and a few miserable Misers who have refused your Money in payment for their bonds from the beginning; they first intending to bring it into dispute and thereby ruin the American cause, but latter caring not what were the consequences if they cou'd but increase their hoards of ill gotten pelf. If any have suffered it is your friends, who have received it on all Occasions, & used every means within their power to Support its credit—They will by this Measure will be laugh'd to scorn for their folly by your enemies, who will hug themselves in their Sagacity, and will immediately proceed to distress those whom we most humbly think ought not to have been put Into their power, But if this shou'd not be the case, we beg leave to call your Serious attention to the Subject on another Score, can this be a time to try Projects on so momentious a Subject as your Currency, when a powerfull and invading enemy is at our doors and when we are in want of every necessary to oppose them, if the change should damn your Money; and we have but too much reason to suppose it will, the Sinews of war will be broken, and we reduced to the most dreadful of all Situations, the bowing the neck to Cezar. Again will you not by this Measure destroy the credit of the new Money to be issued by Congress the old you say cou'd not keep up its credit tho it had all the properties of Money. Is it not absurd then to expect that the new will do it, which has none of them, we think the position too plain to be contradicted; & therefore most earnestly and fervently pray that an act may Pass making the Money to be Remitted by Congress & the two Millions ordered by the Assembly a legal Tender in all cases; and that the latter may be received in payment of all

taxes, & we hope no more may be struck hereafter but on the same footing. The Resolutions of Assembly empowering the Executive to make Seizures of Several Enumerated Articles for the Army we complain not of, well knowing its wants must be Supply'd, tho we think it wou'd have Appear'd better, and have represented your people in their true characters, which is ever to grant what they have, if they had first have been requested to furnish their Superfluities, and on refusal then to have used force; fully Convinced of the Utility of the Measure we ask not a repeal But apply to your Justice for an amendment, Our Grain, Flour &c are to be taken at a Value set on them by the Assembly; this is new and we humbly think it unjust and Partial, Unjust because we say it is impossible for any body of men to be Judges of the plenty or Scarcity of a Commodity in the different parts of this great Country according to which the price will vary. Partial because the makers of Hemp Tobacco &c are left at liberty to obtain the best price they can get for their Commodities and are thereby better enabled to pay the demands made on them by the State, The power Given to Seize Cattle we think carried too far, If our barren Cows are taken from us our Stocks must be destroy'd in a very short time, as it is from them only that we can expect an Increase of stock the next year. If this plan is pursued we shall be exceedingly distress'd over our lands being worn out and poor, & will promise nothing without manure; our whole Prospect of Paying our Taxes And supporting our families therefore depends on the Preservation of our Stock, which cannot be effected without an alteration in that part of that resolution, which we therefore hope will be made and that the articles furnished for the army or its use may be Valued by Impartial people on Oath, and that all Certificates given for them may be received in payment of all Taxes whatever. We beg Pardon for taking up so much of your time, but as the Several Subjects are Momentous and of great consequence to the Community in General, as well as your Petitioners We hope to stand excused. We beg leave again to call your attention to the Several matters contain'd in this our Petition and hope that you will grant such relief as in your wisdom Shall think just and right.

Taken from No. 1:* William Merry, Benj[a] Mountcastle, Charles Holdsworth, Joseph Vaiden, Major Willcox, William Collier, Henry Duke, Edw[d] Finch, Edw[d] Russell, Jn[o] Otey, Henry Mountcastle, Edw[d] Maynard, William Maynard, Henry Brewer, James Johnson, William Atkinson, Jacob Johnson, James Binge, Edw[d] Stubblefield, Tho[s] Blackhearst, Charles Parrish, Jn[o] Hilliard, Jn[o] Brown, J[r]., Ja[s] Parrish, william willcox, Gedion Roach, Tho[s] Blanks, William Edwards, William Parrish, James Timberlake, Samuel Lennard, Henry Poynter, Joseph Mountcastle, Richard Mountcastle, Stephen Shell, Abraham Brown, George Marable, James Blackhearst, David Merry, John Harwood, William Lennard, Samuel Poynter, John New, William Holdsworth, Thomas Willcox, John Bullifant, Jr.

Bradf[d] Williams, John Pavely, Francis Hill, Edw[d] Marable, Wyatt Walker, Charles Collier, Tho[s] Harwood, William Harwood, Hen. Armistead, W[m] Brown, James Nance, Littleberry Perry, John Christian, Thomas Spragn, John Atkinson, David Fields, Rob[t] Drake, W[m] Marrable, J. Dancy, Isaac Hill, Joseph Bradley, David Roper, Th[o] Malthis, William B. McH., Edw[d] Christian, Allen M. Brown, James Hurt, John West, William Chancy, John Colgin, Tho[s] Robinson, E. Powell, John Menitree, Samuel Riddlehurst, Daniel Crighton, Tho[s] Perry, John Nance, Sam[l] Major, John Willcox, John Major, Ben Edmondson, George Waddill, William Austin, Thomas Pearson, Francis Drake, Geo. Williamson, Francis Hardyman, Tho[s] Morecock, Benj. Blagrove, Richd Corbell, Stephen West, James Hill, Edw[d] Clarke, Mark Wood, John Wood, Henry Hervey, Joel Christian, Malcolm Grant, Tho[s] Ballard, Alex[r] Walker, J[r]., Will G. Munford.

Taken from No. 2: Peter Royster, John Bradley, Edw[d] Christian, Henry Bowles, Gedion Bradley, John Irby, William Terrell, W[m] Gill, Charles Carter, Littleberry Irby, Banj[a] Bradley, W[m] Tyree, W[m] Hardyman, Sam[l] Christian, James Hardyman, John Wills, W[m] Rocke, John Gregory, Francis Irby, Sen[r]., Benj[a] Buck, Jeffery Gilliam, W[m] Pike, Benj[a] Morris, Henry Fuqua, Gedion Hamblett, Geo. Hamblett, Gedion Bradley, Sam[l] Johnson, W[m]

*Refers to another copy circulated.

Royall, James Bradley, Benj. Carter, James Thompson, Thos Bradley, Thos Butler, John Knibb, John Eavins, Jas New, Geo. Baker, Eaton Nance, Will Adams, W. Clark, Thos Binns, John Edloe, F. Walker, B. W. Williams, Will Edloe, Paul Jones, David Minge, Turnr Southall, Wm Dancy, Francis Durfey.

[Endorsed]

Charles City Petition, Novemr 8th, 1780.
Refferred to Propositions.

Petition of Thomas Goodwyn's Heir.

To the Honorable the Speaker and Members of the General Assembly.

The Petition of Harman D. Beadles, Heir at Law of Thomas Goodwyn deceased.

Sheweth.

That some time in the Spring of 1779 the said Thomas Goodwyn was drafted from the militia of the county of Charles City as a soldier in the 9th Virginia Regiment and continued therein until the time of his death which happened in the year 1780 or 1781 at the Hospital at Charleston, that his death was occasioned by wound he received at the Southward.

Your petitioner shews, that the said Thomas Goodwin during his life, received no pay or depreciation, nor the petitioner or any other person to his knowledge, since his decease for his services, and that his entering into a defence of his country's cause, is supported by two certificates, accompanying the present request.

Humbly prays, that the Auditor of public accounts may be directed to issue to your petr the pay and depreciation due to the said Thomas Goodwin and he will &c.

[Endorsed:]

Beadles Petr 9 Oct. 1792—Claims
reasonable Congress 14 Oct 92

PETITION OF THE QUAKERS.

To the Senate, and House of Delegates in Virginia.

The Memorial of the People called Quakers.

Respectfully sheweth.

That whereas a Memorial was presented to the House of Delegates at the last session of Assembly on behalf of the Religious Society of Friends called Quakers in this State. seting forth that from Conscientious scruples they had at all times heretofore declined the use or Custom of covering the head in honor to any man. or body of men whatever; Or voluntarily contributing to the support of an hireling Ministry; For Reasons in the said Memorial mentioned; and praying relief, or Indulgence from these Impositions. But finding from the proceedings of that House, that notwithstanding there were certain Resolutions entered into, not unfavorable to your Memorialists, yet from the Multiplicity of other business, or some other cause nothing appears to have been effectually done. The subscribers therefore in discharge of the trust reposed in them by the said society, beg leave at this early period of the Session to request that a further consideration of the Matters contained in the said Memorial may again be taken up, and that such relief be granted as to you in your wisdom may seem just and Reasonable.

Robert Pleasants,
John Hunnicutt,
Pleasants Terrell.

Signed on behalf, and by appointment of the Society of Friends at their yearly Meeting held in Charles City County from the 20th of the 5th month, to the 23d. of the same inclusive, 1793.

Endorsed

Quakers Memorial Octo 22^{d} 1793
Ref^{d} to Religion reasonable H H. rejected Chaplain 30th Oct^{r}, '93

Petition of the Quakers Against Slavery, 1831.

To the Senate and House of Delegates of Virginia in general Assembly.

The Memorial and Petition of the religious Society of Friends, of Virginia yearly Meeting respectfully shews.

That your Memorialists under a deep sense of the responsibility which rests upon them, both as Citizens of this State and as a Christian community, desire to call your attention to a Subject of the utmost importance. From the Republican nature of our government the citizens of this State possess in a preeminent manner the privilege of presenting their views of important Subjects for Legislative consideration, and on some Occasions, they must be under the imperious obligation of doing so. In addition to this obligation, which arises from the formation of our government, and the inseparable connection of our interests with the prosperity of our country, we feel a higher motive for the present memorial—the influence of a Christian solicitude for the preservation and happiness, not only of ourselves, and those identified with our homes, and the tenderest ties of nature—but also of our fellow citizens and our beloved Country in the most comprehensive construction of the term. In common with all other Christian denominations, we believe that the most High rules in the nations of the earth; exercising his Power and Providence throughout his vast incalculable dominions. All history combines in an unbroken chain in Support of a belief in the interposition of God in human affairs. The rise and fall of Empires bear testimony which cannot be resisted of the riches of his goodness, the chastisements of his displeasure and sometimes of the terrors of his judgments. These dispensations of an Over-ruling Providence have ever been in intimate connection with the laws he has established for the government of his rational creatures. While his wrath has been revealed from heaven against the children of disobedience—while the most potent empires have sank beneath the stroke of his rod—his goodness, power and Providence through all ages have been displayed on behalf of those who have made his righteous Law their rule of action who depended on the di-

rection of his Wisdom: and trusted for deliverance and support in his Almighty arm.

The present important crisis demands in a peculiar manner an humbling remembrance of the goodness and Sovereignty of the Almighty. The people of the United States and of the Commonwealth have abundant cause for reverent acknowledgement of the interposition of a gracious Providence. His blessings have been bountifully dispensed to us; and his hand has been made manifest in preserving us from many impending dangers. As intelligent beings we are called upon to bow under a sense of the Sovereignty to God. We are bound to acknowledge the immutability of his Law, and the perfection of all his attributes: and to look to Him for direction in the administration of our public affairs. In this state of mind there cannot be a doubt, that if we follow *his counsel* in the fulfillment of *his Law*, his blessings will be showered down upon us, and his Arm of Power will be a wall of preservation round about us. Solemnly impressed with a sense, that we cannot annul his Judgments; and that in the way of obedience we may confidently trust in his providential care, we would call your attention to an evil in our country—an evil which has been of long continuance, and is now of increasing Magnitude. We allude to the condition of the African race in our land. We need not we apprehend on the present occasion descend in detail into the consequences of this evil, either present or perspective—as respects that suffering and degraded class of the human family, or as relates to us and to our fellow Citizens. It is admitted on all hands, that the first principles of our Republican institutions, and the immutable laws of justice and Humanity have long been violated. Not only have the effects of this System upon our National prosperity been seen, but its demoralizing tendency and its ultimate awful consequences have been sufficiently developed to demand legislative interference.

We believe that as our present difficulties and dangers originated in a departure from the laws of Justice & Humanity which the Creator has fixed for the government of his rational creatures in their intercourse with each other; so nothing short of an abandonment of the cause for which the present state of things has

arisen, can be regarded as an effectual remedy. We have seen, that by a perseverance in a system repugnant to the laws of God, and subversive of the rights, and destructive to the happiness of man, there has been an awful increase, both of the difficulties and the dangers by which we are surrounded. We therefore solemnly believe that some efficient System for the abolition of Slavery in this Commonwealth and the restoration of the African race to the inalienable rights of man, is imperiously demanded by the laws of God, and inseparably connected with the best interests of the Commonwealth at large. The Voice of justice and humanity has been repeatedly raised on behalf of the Victims of oppression. But the appeal embraces not the sable children of Africa alone; The peace, the safety, the prosperity and happiness of all classes are included in the policy dictated by the spirit of our government, the feelings implanted in our nature, and the Laws which the great Sovereign of the universe has himself promulgated from Heaven.

Under the View of the claims of Justice and humanity on behalf of a deeply injured race, and the Various responsibilities which rest upon this Commonwealth in regard to their present condition, we submit for your consideration the propriety of passing an Act, declaring that all persons born in the State ever after some period to be fixed by law shall be free, and also that the State of Virginia provide some territory, or solicit the aid of the United States in providing one for the formation of a Colony for people of colour, and also to aid in removing Slaves as may be given up for that purpose.

We implore the continuance of the mercies and blessings of God, upon our beloved Country. We pray that he may graciously condescend to direct your understandings by the Wisdom which is from above, in considering and resulting the most momentous subject, in which the rights and happiness of the present and future generations are so deeply involved: that through your instrumentality, his benedictions may be shed upon our country and the blessing of those who are ready to perish may come upon you.

Signed by direction and on behalf of a meeting of the Repre-

sentatives of the Society aforesaid, held in Charles City County the 24th of the 11th month 1831 by

Fleming Bates.

Endorsed:

Quakers Dec^{r} 14th 1831 ref^{d} to select com^{ee}

PETITION OF B. HARRISON AGAINST GILL SEINES.

The memorial of B. Harrison to the Genl. Assembly of Va. respectfully represents that he is the Proprietor of a fishery on the waters of the James River which was formerly very productive, but which of late years has become comparatively worthless by reason of the introduction of gill nets, a species of seine which threatens the entire destruction of that valuable fish the shad, unless the laws of the State are interposed for its preservation. The Berkeley fishery has been the property of its present Proprietor and his ancestors for upwards of a century, and has been cleared of numberless rocks and other obstructions at vast expense. Three years previously to the use of float seines or gill-nets it had yielded a clear income of $1500 or $1800, since their introduction it has scarcely defrayed the expences of fishing it. although considerable additional expence has been incurred in extending the scope of the seine. In one instance a rock has been brought on shore for the removal of which your Memorialist offered $500. The gill net takes its name from the circumstance of its entangling the shad in its messes by the gills. It is also called the float seine from the manner in which it is fished being stretched across the channel of our Rivers and floating with the increasing or receding tide. The meshes being large enough to admit the head but too small for the passage of the body, the fish becomes entangled by the gills in its effort to extricate itself. From the peculiar formation of the shad, the gill net is particularly destructive to the females, the slender bodies of the males enabling them to pass through the meshes of the net with comparative safety. From his own observation he is inclined to believe that four fifths of the shad thus taken are females.

The experience of Persons well informed on the subject,

amongst them, the venerable Judge Peters of Pennsylvania, is conclusive to your Memorialist the shad frequent the waters which give them birth, if this opinion be sustained by facts, it is all important for the preservation of that fish that at least, a small portion of the female be permitted to ascend our Rivers to cast their spawn. With the hundreds of float seines which are seen stretched across the channel of the James River from its mouth to the falls at Richmond, it seems a miracle that a single shad should ever escape.

Your Memorialist is of opinion that the float seines affect much more injuriously however the proprietors of the fisheries, by preventing the ascent of the fish up our Rivers, in as much as they act as obstructions to the passage of the fish at the season when they are attempting to ascend the Rivers for the purpose of breeding their young and your Memorialist respectfully suggests to your Hon. Body that they be treated as obstructions. He therefore prays, that the law of the last session in relation to gill nets on the Potomac, be extended to the waters of James River. He further begs leave to suggest that as the fishing interest, may become important to the State of Va. its preservation would be greatly promoted, by requiring in future that all Dams erected across the head waters of our Rivers, be constructed in such a manner as to present an inclined plane or slope on the lower side for the more easy ascend of the fish.

In case however that your Honorable Body deem it inexpedient to suppress entirely the use of gill nets in the waters of James River, then your Memorialist prays that the proprietors of hauling seines be protected by law against the use of gill nets or float seines, within the range of their respective fisheries.

And your Memorialist will ever pray.

Benj. Harrison.

Endorsed: Benj^{n} Harrison Jan^{y} 18th 1833. ref^{d} to Roads. Feb 6th reasonable

Petition of Benjamin Harrison Regarding Robert Morris.

To the Legislature of Virginia.

The petition of Benjamin Harrison respectfully represents

to your Honourable Body that he is the only heir and Devisee of Benjamin Harrison of Berkeley, who was apprenticed as a merchant to Robt: Morris Esq late of Philadelphia: That during his apprenticeship he contracted a warm and cordial friendship for his patron and friend Mr. Morris, which on every proper occasion he evinced by word and deed.

It is well known to your Honb[l] Body, that during the Revolutionary Struggle when the public confidence was at the lowest ebb, and the Credit of the United States, not only unable to bring a single additional Regiment into the field but insufficient to clothe the patriotic soldier struggling for his Countries right, M[r] Robert Morris in the hour of peril and financial difficulty tendered his purse to his country, and in the estimation of competent judges was Second only to WASHINGTON in achieving their independence which is our countrys boast.

At the close of the Revolutionary contest, M[r] Morris became embarassed in his pecuniary affairs.

It was at this time that your petitioners father strained every nerve to relieve his friend, and Sacraficed a large real estate in the City of Richmond to Support his Sinking credit.

The accompanying document marked A, being a letter from the President of the Bank of North America in Philadelphia, the son in law of Robert Morris, will be deemed Sufficient evidence that your petitioners father had advanced Robert Morris $45,000. But this Sum availed nothing.

M[r] Morris, the benefactor of his Country, was committed to jail, and the greater part of his immense estate has been permitted to be wasted.

Your petitioner now Solicits, that the heirs of Robert Morris, being M[r] & M[rs] Nixon of Philadelphia, who have manifested a willingness and in fact have agreed that the just demands of your petitioners father, Shall be discharged out of the proceeds of the Sales of Land properly belonging to the estate of the late Robert Morris:

That your Honb[l] Body in consideration of the premises, will remit and transfer to them, all right, title, and interest to any and all lands held in this commonwealth in the name of Robert Morris

esqre late of Philadelphia, which have accrued to the commonwealth under the opperation of the forfeiture Laws for the nonpayment of taxes.

The fact of your Honb[l] Body, having exercised the liberality of releasing all forfeited Lands, by the extinguishment of all arrearage tax due the commonwealth, on all Lands Situated on the EAST of the Alleghany Mountains, by acts of your Honb[l] Body bearing date the first day of April and the ninth day of April 1831: Your petitioner in his humble views, can not conceive justice to individual Land holders West of the Alleghany Mountain, nor uniformity of Pollicy of the commonwealth, having for its object, due regard to constitutional principles in the administration of its Revenue and other laws in this partial and unequal Legislation: If the whole community and the Commonwealth was benefited by this Geographical distinction, Silence would become every citizen, but such is not the fact.

Your petitioner, with due defference to your Honb[l] Body, prays that the laws on this subject made and provided on the first and ninth days of April 1831, may be made uniform; at least so as to embrace the lands of the late Robert Morris of Philadelphia and thereby extinguish all arrearage tax and restore the Lands that have accrued to the Literary fund under the opperation of the former laws of this Commonwealth.

Your petitioner would humbly represent, That acts of injustice have grown out of the various forfeiture laws of your Honb[l] Body, not known here, But in practical extent in the West, is felt and deplored by the distant and non-resident Land holders, which are in effect destructive to Land titles acquired many years past under the Solemn Seal and pledged faith of this commonwealth.

Such laws are unconstitutional and the consequences produced thereby inconsistent with the Land law and policy of May 1779, made and provided for the organization of the Land office of Virginia.

Your petitioner would respectfully Suggest, that the CODE OF forfeiture laws, is not in unison with the spirit and genious of a strict constitutional government, and the System in practical effect and consequences is confiscation, and a repeal of the Land

law of 1779 under which the Guarantee was held out to all persons, especially to foreigners and non-residents, to participate in the appropriation of Waste and unappropriated Land in the western parts of this Commonwealth.

Your petitioner would further respectfully alledge, that this System of forfeiture laws under the protection and auspices of the Legislature of Virginia, was sustaining a character of peculation, that inflicts discredit on the antient Dominion, and destructive to the vested rights of original Land holders, who may have improvidently omited to pay tax regularly. That the excessive increase of new grants for the Land already granted, was a Source of great alarm, and a Subject that demands the early interposition and correction by your Honb[l] Body. For the continuance of such a course by the Western population of Virginia, is not only calculated to bring the land titles into disrepute, but opens the door to litigation and so far as the Heirs of Robert Morris are concerned your petitioner prays a review and repeal of these laws and relief from your Honb[l] Body, and he will ever pray &c

Benjamin Harrison.

Stating that R. Morris decd formerly of Philad[a] was indebted to the petr's father in the sum of $45,000 for money advanced, and praying that the right which has accrued to the Commonwealth in the lands lately belonging to the estate of the said Morris & which shall become forfeited for the non-payment of taxes, may be released to Mr. & Mrs. Nixon of Philad[a], who are the heirs of said Morris, & have agreed that the sum shall be applied to the payment of the aforesaid debt due to the petitioners father.

Endorsed:

Benjamin Harrison
Petition
Urging the Commonwealth to release its
title to certain lands, which belonged
to Robert Morris, late of Philadelphia.
Feb[y] 4th 1834 ref[d] to C. P. J. Feby 13 Rejected Christian

Letter of Thomas Nixon.

Philad[a] Feby 6 1831.

D[r] Sir

Your favor of 15[th] Jany was duly recd & in reply have to repeat what I have done in my former communication to you which you appear not to have received. With the commission of Bankruptcy against R. Morris having been rendered null & void by a late decision of the court—all property belonging to the estate of R. Morris reverts to the heirs of R. Morris—but by a will of Mr. R. Morris leaving all property which he may be possessed to his wife Mary Morris, and she having subsequently dec'd leaving a Will in which she gives all her property to a Daughter Mary Nixon excepting a sum given to her sons Thomas & Henry Morris, the Property, of course a legacy, descends & belongs to her—a question however arises how far the Property is now still bound to his creditors & particularly to the Judgment creditors—many of whom have covered their Judgments—you will at once perceive that it becomes Mrs. Nixon to act with great caution & circumspection to prevent being involved in disputes arising out of the various interests & therefore under the advice of council It has been deemed most prudent not to interfere in the rights or wishes of any particular creditor, but let them pursue such steps as they may deem most for their interest & in case of any difficulties arising out of such proceedings let the court determine as to their respective claims.

With this view of the subject I have only to assure you that should the Securities given to your father's estate by the late R. Morris not have proved sufficient, you can obtain the balance out of other property in Virginia.

It will afford the family much pleasure feeling that the debt due is one which was contracted under the feelings of friendship & ought to be liquidated.

With great respect
I remain Tho. Nixon

In speaking of the securities I notice in the schedule of Property given in by Mr. Morris some property in Norfolk & Gosport

—as also some bonds given to secure your father who was acting as agent for him with Directions to sell the property & pay himself. Also an order on some lands to secure the farther payment of his Debt in the Tennessee Lands & which I mentioned to you when last I had the pleasure of seeing you.
(Endorsed) M^r Nixon on the V^a lands of Rob^t Morris, important
Addressed: Benjamin Harrison Esqr
Charles City County, Virginia.

JAMES CITY COUNTY PETITIONS.

On file in the Archives Department of the State Library.

PETITION OF THE DIRECTORS FOR THE HOSPITAL FOR LUNATICS.*

To the Honorable, the Speaker and Gentlemen of the House of Delegates.

The Memorial of the Court of Directors of the Hospital for Lunatics, Ideots, & other Persons of unsound Mind. Humbly sheweth, that soon after the last Session of the late General Assembly, Mr James Galt proposed to your Memorialists a Resignation of his Office of Keeper of the said Hospital, which they were of Opinion might impede, in some Degree, the charitable Purpose of that Institution; not only from the loss of an Officer who has ever given them Reason to be satisfied with his Conduct, but from the Difficulty, as your Memorialists apprehended, of procuring a Successor, on Account of the Lowness of the Salary. This being Mr Galt's Motive for resigning, your Memorialists prevailed with him to continue his Services, by engaging to represent his Case to the General Assembly; and to this they beg leave to subjoin, that the Salary given to the Matron of the Hospital is so inconsiderable as to occasion a Vaacancy in that Office, which they fear is not likely to be supplied without some better Provision for a Successor.

Your Memorialists conceived it to be their Duty to make this Representation, & humbly submit the same to the Consideration of the General Assembly.

[Endorsed:]
hospital Memorial—refd to Trade—June 5th 79
Adm Alld £200—to W. G.
Adm Alld £200 to Matron
Reasonable
June 14th 1779

*For a history of the Williamsburg Hospital, see Tyler, "Williamsburg, the Old Colonial Capital."

PETITION OF CHARLES BELLINI.*

To the honourable the Speaker & Gentlemen of the House of Delegates.

The Petition of Charles Bellini humbly sheweth:

That his salary as Clerk of Foreign Correspondence is so very low that, at the present high Prices, every convenience & necessary of Life sell at, it will scarcely purchase him Fire-Wood & Candles; it being no more than twenty Shillings per Day. That upon the Removal of the Seat of Government, he will lose the Perquisites which he receives from the College, and will be unable to hold the Office, unless this Honourable House shall make him some additional allowances. He does not expect the same Salary as the Clerk of the Council, but he humbly hopes that the small Sum of twenty Shillings per Day, will not be thought sufficient for the support of a Family.

He therefore prays that his Case may be taken into Consideration and such Provision made for him as shall be found to be reasonable.

[Endorsed:]

Bellini's Pet^{n} Nov^{r} 10th 1779

Referred to Trade, reasonable

Allowed £600 ℔ Annum

PETITION OF JOHN BLAIR.†

To the Hon^{ble} The Speaker and Gentlemen of the House of Delegates—The Petition of John Blair.

Humbly sheweth, that there was due to your Petitioner for his Salary as one of the judges of the High Court of Chancery 6666^{lb}

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*Charles Bellini came from Italy and settled in Albemarle County in 1773. When Mr. Jefferson reorganized the College of William and Mary in 1779, he appointed Bellini to the first chair of Modern Languages in America. He died in 1803, and was succeeded by Louis H. Girardin.

†John Blair, Jr., (1731-1800) was son of John Blair, President of the Virginia Council. After serving as one of the chancellors of the State, he was made by Washington Associate Justice of the United States.

Tobacco the 1st of July last, at which Time commences the new Regulation made in the last Session of Assembly respecting the Payment of Salaries, leaving all Arrears which might be due for the Time previous to that Period entirely unprovided for in consequence of which your Petitioner must either lose that Part of his Salary, or accept a Payment in Paper Money now become quite inadequate & even useless to him, & this without having ever had it in his Power to receive it which would have been of Use, unless this Honbl House should in their Wisdom & justice provide a Remedy for this & other Cases of a like Nature, which is humbly submitted by their dutiful Petitioner.

John Blair.

[Endorsed:]
Blair's petition June 18th 1782. referred to Trade.
June 21st 1782 referred to the next Session of Assembly.
Reported Decr 12th 1782 Provided for by an Act passed at the last session.

Petition of the Justices.

To the Honble the Speaker & Gentlemen of the House of Delegates.

The Petition of the Justices of the County of James City Humbly sheweth that the public Jail* in the City of Williamsburg is at present not made use of by any but the Corporation of the said City and the jail of the said County is out of repair & unfit for use That it would save the expense of repairing the County Jail, to the said County, and do no injury to the public if the said public Goal should jointly be used by the County of James City & the Corporation of the City of Williamsburg. Your Petitioners therefore humbly pray that an Act may pass for that purpose.

[Endorsed:]
James City Justices, June 5 1784, their petition, reasonable—(repd) referred to propositions.

*For an account of the Public jail, *i. e.*, the jail belonging to the Colony as distinguished from the City Jail of Williamsburg, see Tyler, *History of Williamsburg*, p. 221. It is still standing.

PETITION OF JOHN WATKINS.

To the hon^blo the Speaker & Gentlemen of the House of Delegates.

The petition of John Watkins now humbly sheweth
That your petitioner was appointed Steward to the Continental Hospital in Williamsburg on the 20^th of April 1778 by Doct^r William Rickman, Director, and continued in that capacity till the 20^th of October 1780, at which period considerable arrearages on Acco^t of pay & became due to your petition for which he has never received any compensation. He therefore prays, your Hon^ble House may take his case into Consideration, and allow him the depreciation of his pay & subsistence for the service afore-mentioned, and your Petitioner shall pray &c.

[Endorsed]

Watkin's Pet^o June 11^th 1784, Ref^d to Claims, June 16^th 1784, Reasonable.

PETITION OF GABRIEL MAUPIN.

To the Hon^ble the Speaker & Gent: of the House of Delegates.

The Petition of Gabriel Maupin Humbly Sheweth
That your Pet^r early in the late Contest with Great Britain, in the Year 1776, received the appoint^mt of Keeper of the Magazine in and near the City of Williamsburg; in which Capacity he acted until the close of the War; and in consequence of his assiduity in his office, the General Assembly at their session in the fall of 1779 gave your Pet^r the Rank and Priviledge of a Captain.

Your Petitioner therefore having devoted his Service in this Department during the whole of the War, and executed the Duty of it with Care, and punctuality, humbly hopes that the General Assembly will extend to your Petitioner the same Bounty in Lands, as have been given to a Captain: and your Petitioner as in Duty bound

[Endorsed:]

Maupin Pet^r, June 11^th 1784, Ref^d to Props, prays for Captain's bounty (rejected), (speciality)

Petition of the Lessees of the Governour's Land.*

To the Honourable the Speaker and the Members of the House of Delegates.

The Lessees of the lands commonly call'd the Governours land in the County of James City beg leave humbly to represent to this Honourable House that in consequence of an act entitled an Act directing the sale of certain public Lands and for other purposes giveing to the University of William and Mary all the Interest of the public in the land aforesaid, your Memorialists are threaten'd with law suits by the professors of the said University to deprive them of the leases they hold for part of that Land previous to the revolution. Your Memorialists beg leave to represent that they hold their leases from an Authority deem'd Competent at the time they were made and never questioned till now. They cannot but feel With Singular Sensibility that the Security of property which they enjoyed under the former Government should be hazarded by a revolution in effecting which they have not yeilded in Zeal and Services to any other citizen of the State. At the same time they are persuaded that neither the Justice nor humanity of the Legislature woud have permitted them to pass the Act in question, but they conceived it woud have been *parental* of Law suits to disturb many Citizens in a title to their possessions never doubted before and reduce them and their families to great distress and perhaps unavoidable ruin from the Expence of such a litigation: much less can it be conceived that the Legislature intended to establish a Semenary of Learning and Morals in oppressive law suits and the ruin of individuals. For when it is considered that they are to contend with their private purses against a public fund and powerfull Body; it may well be conceived that many of them however Just their Title; or however favourable the event of the suits may be to them, must be

*In 1619 3000 acres were laid out for the support of the governor's office between Jamestown and the mouth of the Chickahominy river. They were tilled at first by employees of the London Company, but after the revocation of this charter in 1624 the lands were leased on terms of 21 years to individuals. In 1784 the "governor's land" was given to the College by an act of the Legislature.

ruined in the contest. Is is from a conviction of the consequence of being exposed to such a prosecution more than from any doubt of their Legal Title; that they claim the interposition of the Legislature.

From these considerations, they rely on the Justice of this Honourable House for a Compliance with their prayer that they may be quieted and Secure'd in the possession of their property under the Leases which they have fairly purchases long possessed and never forfeited and that they may continue hereafter to pay the Rents to the Professors of the said University or to any others that the General Assembly may think proper as they have heretofore done to the former Governour of this Commonwealth.

John Ambler, W^m^ Lee, W^m^ Wilkinson Ju^r^, John Warburton, Guardian for the orphan of John Harris, dec^d^.

[Endorsed:]

Lessees of y^e^ Gov^rs^ Land their Pet^o^ Nov^r^ 22^d^ 1785 Ref^d^ to Courts of Justice reasonable rep^d^

PETITION OF WILLIAMSBURG FOR THE CAPITOL BUILDING.

To the Honorable

The Speaker, and the other Members of the House of Delegates

The Petition of the Mayor, Recorder, Aldermen, and Common Council of the City of Williamsburg.

Humbly Sheweth,

That the late Capitol in the said City, which the General Assembly were some time past pleased to give to your petitioner for the purpose of a Grammar School, and the branches of education, for the term of ten years; at the time of the donation, was much out of Repair—That your Petitioners have already expended a considerable sum of Money in repairs and are desirous by means of subscriptions and otherwise of having the said Building farther fitted up, so as to afford more comfortable accommodations for the students placed there, but are apprehensive of meeting with great discouragements, from the consideration that their present grant is of a limited duration, however probable it may be, that at the expiration of it, the general Assembly might be inclined to renewal.

Your Petitioners therefore humbly beg, that unless some bet-

ter disposition should occur to your honorable body, the said building may be vested in your petitioners in fee simple, subject however to forfeiture whenever it shall cease to present the benevolent purpose of the donation. And your Petitioners. as in duty bound will ever pray &c.

A Copy
Teste
Will Russell Town Clerk

[Endorsed:]
Wmsburg Petn December 10th 1785 Refd to Props.s reasonable.

Resolved that it is the Opinion of this Committee that the Petition of the Mayor, Recorder, Aldermen and Common Council of the City of Williamsburg praying that the Capitol in the said City may be vested in the Petitioners in fee for the Purpose of education. subject to revert to the Commonwealth, in case it be otherwise appropriated by the Corporation, is reasonable.

Petition of Williamsburg

To the Honble the General Assembly of Virginia.

The Petition of The Mayor, Recorder, Aldermen and Common Council of the City of Williamsburg, Humbly Sheweth:

That your Petitioner made application to the last Assembly for the use of the Capitol for the purposes of a Grammar School, which was granted to them in as ample a manner as was desired; that they have in consequence thereof framed an Ordinance for the Establishment of such a school, or an Academy, on a plan which they trust when carried into execution will render it highly beneficial, not only to the said City but to the whole community, and, that they are taken some steps toward raising a fund for the proper support of it. But your Petitioners find that the buildings have been so much injured during the war, that it will, they apprehend, take a larger sum of money to repair them than they can hope to procure by voluntary contribution. Your Petitioners therefore pray that your Honourable House will permit and authorize them to raise by lottery a sum not exceeding one thousand

and fifty pounds to be applied towards repairing the Capitol & Buildings annexed to it, and establishing a Fund for the support of the Academy. Your Petitioners also beg leave to represent to your Honorable house that the inhabitants of this City are frequently subjected to difficulties from a want of power in its Court of Hustings to receive Probats of Wills and Deeds and to grant Administrations, the generality of the Citizens not possessing the means of travelling with any convenience to distant Courts: and they pray that your Honorable House will relieve them from these difficulties by empowering the Court of Hustings of this City to receive Probats of Wills and Record the same & to grant Administrations, and to admit Deeds to Proof & Records in the same manner as the County Courts do. The Frequent Interruptions, occasioned by the War, in the exercise of the various Civil Powers, in this part of the Country especially, and other circumstances of the late times have given an opportunity to so many Idle and disorderly persons to fix themselves in the City of Williamsburg and have left behind them so many Evils that an unremitting attention is necessary to guard against and Correct them. That your Petitioners are not vested with a power of Levying Money to pay the officer who must be almost constantly employed in keeping the peace of the City and preventing the inequalities lately grown too prevalent, and they have found the other Modes of raising Money for this purpose to be too precarious and too Burthensome to individuals.

They therefore beg that your Honorable House will grant them a power to impose and Levy a Tax on the White and black Tithables of this City, not exceeding one shilling and three pence on each Tithable in the Course of a year for the purpose of paying the Salary or Salaries of on one or more constables—and your Petitioners as in duty bound &c.

Will. Finnie Mayor
Will. Russell Town Clerk.

A Copy
Test.

Petition of Dr. John Sequeyra.*

To the hon^ble the Speaker & Gent^n of the House of Delegates

The Petition of Doctor John de Sequary humbly sheweth, that your Petitioner hath for one Year attended as a Physician the Hospital for the Maintenance of Lunatics, Idiots & Persons of insane Mind, for which he hath had no compensation made him. He therefore prays that you will take his Case unto consideration, & grant him such Allowance for his Services as you shall think proper, & he as in duty bound will ever pray.

[Endorsed:]

Petition of Doctor Sequaryra. Octo^r 26^th 1779, ref^d to trade reasonable, allowed £250 for the year past. reported

The Petition of Dr. William Carter, 1693.

To the Honorable the Speakers and Members of the General Assembly the Petition of William Carter humbly shews That your petitioner served as Surgeon to the Continental Hospital established at Williamsburg during the late War to wit from the first of July 1776 to the 31^st July 1781 a period of five Years and upwards; that for these services he has never yet been allowed the Bountey in Lands promised by Law; altho' several officers in the same department, who served a shorter period, and your petitioned humbly conceives did not render more faithful services have been allowed that bounty by resolutions of the General Assembly: Your petitioner therefore humbly prays that the justice and bounty of the General Assembly in like manner may be extended to him for services equally meritorious: and he as in duty bound will pray &c.

[Endorsed:] Petition of Doctor William Carter 22^d Oct^o 1787 Rejected

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*Dr. Sequeyra was appointed first physician to the Hospital in 1773. He held office till 1793.

PETITION OF WALTER HOPKINS.

To the Honorable the Speaker, & Gentlemen of the House of Delegates.

The Petition of Walter Hopkins humbly sheweth That your petitioner was in the month of December 1776, employed by Col° William Finnie Quarter Master General in this State, & with the approbation of His Excellency the Governor, as appears by his instructions hereto annexed, to take a tour into North and South Carolina, in search of Clothing & Military Stores for the use of the Army, it being at a time when Articles of that kind were not to be had within this Commonwealth; prevailed upon therefore by his usual readiness to promote the Interest of his County & from assurance that upon this occasion, his own should be combined therewith, your petitioner at this inclement Season undertook the fatiguing route, and after visiting the intermediate Marts arrived at length at Charles Town in South Carolina, where to his great Mortification he found that an embargo was laid on the exportation of all goods from that State, the like Scarcity in some degree existing there as was in Virginia; thus finding all prospect of success in the execution of his Commission totally frustrated, he immediately set out & returned to Williamsburg when the Honbl. Executive & Quarter Master, were not satisfied with your Petitioners Conduct, & of the cause which produced the disappointment. Yet so it is. that although your petitioner was to have received a Commission on the Amount of the Monies, which he was authorized to lay out, whether they were actually applied or not, he has hitherto been made no Compensation either for his expence during this long journey, or for his trouble & loss of time; having it in his power to evidence these facts to your Honorable House he hopes they will take his Case into that deliberation, grant him such relief as they in their Wisdom shall think right & he as in duty bound &c.

Auditors Office Nov^{r} 23^{d} 1784

No warrant has ever issued from this office for the within service—neither will any issue without the direction of the Legislature or the Executive—Certified the day & year above.

B. Stark

The auditors do not conceive themselves authorized by Law to make any allowance to any assistant in the Quarter Master Department without the interposition of the Legislative or Executive as above mentioned.

B. Stark

[Endorsed:]
Hopkin's pet°: November 24th; 1784: referred to claims: Referred to the Executive for settlement, Reported

Petition of Major John Lee.

To the honble the speaker & other members of the house of Delegates, The Petition of John Lee humbly sheweth, that your petitioner in the year 1775 was appointed an ensign in Capt John Green's company, enlisted eighteen men & in October following marched to Wmsbg, that some time in the month of November your petitioner with fifteen men was on guard at Jamestown, when two of the enemy's vessels sailed up James river on a plundering party, on their return in a very windy night one of them a large sloop struck on a sand bar, of which your petitioner had notice from a sentinel posted near the place, went with the guard & fired on her; after some considerable resistance her crew quited her & went on board the other vessel, having first set fire to her in several places upon which yr petitioner with the men under his command went on board extinguished the fire & took possession of the vessel, her riging & cargo, which consisted of a quantity of Ivory, beef & pork in barrells, ammunition & some other military stores, as soon as the capture of the vessel was notified a guard was put on board of her & being advised to take an inventory of her cargo & stores yr petitioner went on board for that purpose, but the officer who then commanded the guard on board being older in command than your petitioner ordered him to desist saying that he then had the management of the vessel & wou'd take the proper steps with her. ye petitioner does not know nor does he believe that any inventory was taken. Sometimes after the vessel was fitted up for a cruiser for the State & was put under the command of Capt Edward Travers. In the spring of 1777 some part of the vessels riging was sold & your petitioner received eight

dollars for himself & party which is all y^r^ petitioner ever has received although he was offered by M^r^ W^m^ Holt immediately after the capture the sum of five hundred pounds for the vessel & cargo.

Your petitioner further respectfully sheweth that early in the year 1776 (being then a Lieutenant in the 1^st^ Virg^a^ regiment.) he was appointed a Cap of Mareens to serve on board the sloop Liberty commanded by Cap^t^ Walter Brook & recruited twenty eight men for that service & continued on board that vessell 'till December following when the assembly then sitting passed an an act for raising three reg^ts^ of infantry for the defence of this State & that the marine officers shoud compose a part thereof, whereupon y^r^ petitioner, being directed thereto by the executive, reinlisted about forty of the men who were under his command in the marine service & early in the year 1777 enlisted twenty other recruits & marched them to W^msb^g sometime about the month of June a regiment being formed out of the State troops to join in the grand army in the northern service occasioned some manoevering among the troops who expected to have been continued in this State, & the resignations of some of the officers upon which Cap^t^ John Allison & y^r^ petitioner were appointed Majors, Cap^t^ Allison being the senior officer was assigned to the first & y^r^ petitioner to the second regiments, which last was to continue in Garrison in the State. Y^r^ petitioner being dissatisfied with this arraignment endeavoured through Col: Brent then commanding officer in W^msb^g to procure an exchange with Major Allison who was about to march to the northward, but being disappointed in this y^r^ petitioner applied to the executive & obtained permission to march with the first regiment as a captain, preferring that post to a majority in a reg^t^ which was to remain in Virg^a^ from a conviction that he might render his country more service where there was a formidable enemy to contend with than by continuing in garrison where none probably woud be seen. He accordingly marched to Headquarters with the first reg^t^ & served in it as a captain 'till the spring of 1778 when the 2^d^ Reg^t^ joined the army at Valey Forge and y^r^ petitioner received for commission & took rank as major in that regiment. In the winter of seventy-nine,

& eighty being ordered to the southward y^r^ petitioner returned to Virg^a^ joined the troops at Petersburg, & by order of Gen^l^ Muhlenburg marched with a detachment under command of Col: Buford & joined the southern army then commanded by Gen^l^ Gates, where your petitioner continued 'till late in the fall, when he was sent back to Virg^a^ with some dispatches, & continued with the troops till sometime in the year 1781, when the State troops who had enlisted for the war were separated from those of the Continental line & not being sufficient in number to form two compleat regiments the command of them was given to the senior Lieu^t^ Col. Dabney & the other senior officers. Y^r^ petitioner conceiving himself to be the oldest Major in that line contended for his right but was informed by Col: Dabney that the Governor had given the Major's command to Capt. Alexander Dick whereupon y^r^ petitioner knowing that Cap^t^ Dick had been an officer in the Marine service, had not recruited a man nor had any command in either of the State regiments, wrote to the Governor informing him of these circumstances & requested a board of officers to determine the right between Cap^t^ Dick & himself. Your petitioner was promised that this enquiry should be made, but being taken very sick he was obliged to leave camp, retire into the country for his health & before he was able to return to Camp & pursue his right the State Troops were discharged. Y^r^ petitioner humbly conceives that as to the first part of his claim, nothing can be more just than he should receive some retribution for the loss of the vessell which though it unquestionably belonged to him & those who assisted in the capture was taken from them & applied to the use of the State. To this application y^r^ petitioner claims he has been thus tedious to shew that he was among the first who embarked in his country's cause, that his unceasing efforts to promote its interest have been made with alacrity, that his retirement from the army, if being prevented from pursuing his right by an ill state of health can be conceded as such, was not the effect of his own wishes, and that upon principles of general justice or of individual right, he is equally entitled with most who have received & who expect to receive the bounty of their country. Your petitioner therefore prays that he may be paid his proportional part

of the value of the vessel & cargo above alluded to & that a certificate may issue to him for the payment of his commutation, and as on duty bound y^{r} petitioner will ever pray &c. &c.

[Endorsed:]

Lee's Petition 4th Ma. 1791, ref^{d} to Claims

John Lee's Petition, Vessel rejected, cop^{d} 30., 91, Winton

PETITION OF DR. JOSEPH HAY.

To the Hon^{le} the Speaker & house of Delegates

The Petition of Joseph Hay Sheweth

That your Petition was appointed surgeon's Mate in the Virginia State Hospital at the commencement of the war, that he was afterwards appointed apothecary to the said Hospital & continued in that situation till the dissolution of the Hospital, that he was afterwards appointed Surgeon to the said Hospital on its reestablishment under the Direction of D^{r} Pope & was made Supernumerary in November 1781 after the Capture of York—Your Petitioner begs leave to observe that he was in actual service upwards of five years, & that every other Surgeon of the said Hospitals has been allowed a Bounty in Lands except Himself.

Your Petitioner therefore prays this Hon^{bl} House will take his case into their consideration & will allow him the same Bounty in lands that has been allowed to the other Surgeons in the same Hospital & of the same Rank & Y^{r} Petitioner &c

J. Hay

[Endorsed:] Hay's Petition, 11th Oct^{r} 1792; to Props 16th Oct 1792, Reasonable, Reported.

PETITION OF JOHN LAMBERT.

To the honourable, the general assembly of the commonwealth of Virginia.

The petition of John Lambert, a subject of the king of Great Britain, humbly sheweth:

That John Harmer, formerly the burgess of the City of Williamsburg in this commonwealth, where he has resided for many years and carried on trade in perfect friendship and with the

attachment of the people (as many now alive can testify): had long before the late war removed to Great Britain, and there continued to cultivate his former regard to the people of Virginia: that he possessed several very considerable estates in Virginia; all of which were supposed; in strictness, to come within the confiscation law: that the said John Harmer, conscious, that he could shew, as is well known, by many respectable citizens of this State, how strongly he had deprecated the American war, and labored, as far as in him lay to prevent it, determined, notwithstanding the war, to send his brother George Harmer over to solicit a restitution of his estate: relying upon the indulgence, for which his conduct had entitled him to hope from the general assembly: that the said George Harmer presented his petition for that purpose, and obtained the restitution of whatsoever part of the said John Harmer's estate was conceived to be unsold, as well as a sum of money for a limited time; which facts will be proved by a law of the land: that from some cause or other; perhaps from the ignorance of the said George Harmer of any portion of the said George Harmer's estate remaining unsold, except what he particularly marked out, he did not obtain restitution of about eight hundred acres of land in the county of Amherst, on which an inquisition had been found but no sale had taken place: that the said John Harmer is now dead, having left your petitioner his heir at law, and devisee of the said land: that the said John Harmer, trusting to the justice of Virginia, never applied for and never received the smallest compensation for his property from the British government. Your petition therefore prays that the right of the commonwealth, whatsoever it may be, may be released to him; and as in duty bound he will pray &c.

Lambert's petition

[Endorsed:] Decr 13. 1798 Cts Justice. Decem 26th 1798. rejected.

Petition of Wilson Miles Cary.

THE honourable the speaker, and gentlemen, of the House of Delegates, the petition of Wilson Miles Cary humbly sheweth,

that he is possessed of a mulatto house servant, of the name of London, having a wife and family in the City of Williamsburg, who he conceives under God was the great means of saving his, and his wife's life in a carriage with frightened horses, and being desirous of countenancing and rewarding such active exertions, he prays the honourable assembly to emancipate the said slave by an act of assembly and your petitioner shall ever pray.

Wilson Miles Cary

Williamsburg,
Nov^{r} 30, 1809.

PETITION OF THE RECTOR AND VESTRYMEN OF BRUTON PARISH.

To the General Assembly of Virginia,

The petition of the Rector & Vestrymen and Trustees of the Parish of Bruton to the General Assembly of the State of Virginia respectfully represents—

That the Glebe of the said Parish is destitute of any buildings or improvements, except what have been placed thereon by the present incumbent; that these consist of small Log Cabins for the accommodation of his slaves, & are in a state of decay; and that the value of the land would be greatly increased by substantial & permanent buildings, which a tenant for life, & greatly advanced in years, cannot be expected, or afford, to erect: They therefore humbly request that an Act of your Body may pass authorizing the sale of the Premises, but reserving the interest of the purchase money to the present Rector, during his residence under that character.

They further request that they may also be authorized to sell a small tract of land of about one hundred & fifty acres, lying on the head of Queen's Creek & commonly called the Factory,* which they hold by devise for charitable purposes, but which from the ruinous state of the buildings & other circumstances has become

*This factory was established about 1769 opposite to Queen Mary's Port on Queen's Creek by a joint stock company, of which Peyton Randolph was President. It made cotton and linen cloth. Tyler, *History of Williamsburg*, p. 56-57.

unproductive; as also a small lot of ground of four or five acres, called Whaley's free school, on the road leading to the Capitol Landing & without any buildings.

If these two pieces of land were sold & the purchase money vested in some public funds in the name of the Mayor or Aldermen of W^m^sburg, the interest thereon to be by them appropriated to the education of poor children within the Parish, your petitioners are persuaded that the laudable object of the Donors wou'd much more effectually & amply be complied with, than can under present circumstances be attained.

John Bracken Rector of Bruton Parish

Major Miles Cary, Ant^y^ Robinson, John W. Smith, W. Browne, W^m^ Coleman, James Henderson, Ro: Saunders, Ferdinand S. Campbell, Robert Nelson, John Coke, Edmund Christian, W^ms^-Burg. Dec^r^ 20, 1813.

[Endorsed:]

Rector &c. of Bruton Parish—Petition.

Dec^r^ 22^d^ 1813 ref^d^ to C^ts^ of J., reasonable

FORMICULA-STUART-BANKHEAD.

Communicated.

Great-Great-Grand-Mother, Margaret Evelyn, of England, of noble family. She married James Douglas Stuart of Scotland. They had one child, a daughter, Matilda Stuart. They then moved to Venice and there Matilda met and married *Serafina Formicula,* a descendant of one of the Doges of Venice. They had one child, a daughter, Evelyn Formicula. Her father being an intimate friend of Lord Dunmore, the first Governor of Virginia, came over to America with him, and they settled at Eltham on Munroe's Creek, and when they died, they were buried at *Eltham,* and left their daughter Evelyn as the ward of Lord Dunmore, but when Dunmore left Virginia for England, Evelyn was left in the care of her relatives the Stuarts, and very early in life she married, and when a young widow married her cousin Stuart Bankhead. One child was born to them, our Mother, Eliza Stuart Bankhead. Evelyn again being widowed married a third time Robert Gilchrist Robb, who was a widower with three children, Eliza, Ellen and Robert. Evelyn had two children by this marriage Margaret and Roberta. Evelyn married three times and was a widow when she died at the early age of 31. Our Mother was married twice before she was 20.

Serafina Formicula was a man of very high culture and subscribed Five Hundred Dollars to building an Institute in Richmond which was devoted to "Science, Art, and Philosophy," later on the building was changed to a Theatre and was burnt, and the Monumental Church (which now stands) was then built as a memorial to those who lost their lives in that fire.

Eliza Stuart Bankhead was a widow, (Mrs. Waring) and married our Father, Henry Thomas Garnett. She was a near cousin of President Monroe and Madison. This list made out January 10th, 1917, by

Roberta Garnett *Skinker, Morris, Coontz,*
St. Augustine, Florida.

Roberta Garnett married 3 times.

Note.—Serafina Formicula, mentioned in the above account, appears to have first resided in Williamsburg, and is mentioned among

the lot owners in 1783. About that year he resided in Richmond, and was owner of a tavern. For a time he managed the famous Eagle Tavern. He is mentioned by Mordecai in his "Richmond in By-Gone Days" as a subscriber to DuQuesnoy's Academy of the Fine Arts. His son-in-law, Stuart Bankhead, died in 1805, and there is in the *Richmond Enquirer* for September 5 a long obituary. Formicula was doubtless a friend of Lord Dunmore, but his daughter could hardly have been his ward, as Formicula lived in Virginia long after Dunmore left it.

RECORD OF THE SMITH FAMILY.

Communicated by SAMUEL N. WARREN.

As written by Anne Smith (born 1762), oldest daughter of Col. Samuel Smith, formerly of Essex County, Va., and later of Granville Co., N. C.

For an account of the early generations of this Smith Family, compiled by the editor from the records of Middlesex and Essex Counties, Va., see William and Mary College Quarterly, IX, p. 46. It begins with Alexander Smith, great-grandfather of Col. Samuel Smith. In Book VI, of the Virginia Land Grants, under date Sept. 21, 1674, he is granted 110 acres in Middlesex County, adjoining the land "on which e now lives," a dividend of Major Courts, dec'd, and the Glebe land. There is a tradition in the family that Alexander Smith was son of Joseph Smith, of Bristol, and that he had a brother John.

A TRUE AND EXACT COPY OR RECORD OF THE "SMITH FAMILY" AS WRITTEN BY ANNE SMITH, OLDEST DAUGHTER OF COL. SAM SMITH AND MARY WEBB SMITH, HIS WIFE.

"As well as can be reccollected by the writer 'The Smith family' Emigrated from Scotland. The ancestor of the following Smith family came from Scotland, whose name was Alexander Smith; he married an English Lady, whom if I reccollect was named Anne Coxe; she had a brother named Maurice Coxe. Samuel Smith born.....married to.....Anne Amis born..... Samuel Smith, son of Sam and Anne Smith above was born in Essex Co., Va., Dec 3-1729—old style. Sam Smith died Oct 6-1800 in Granville Co. N. C, Mary Webb born in Essex Co Va Oct 21-1740 old style. Deceased Nov 20-1827 between 2 and 3 O'clock in morning. North Carolina.

Samuel Smith and Mary Webb were married in May....1761 in Virginia.

The following are the children of Sam and Mary Smith.

Anne Smith was born Sunday Evening May 9-1762, Essex Co, Virginia.

Mary Smith was born Sunday evening Sept 18-1763, Essex Co, Va was married to William Williamson in Feb. 1800. Dec'd

March 21-1814 in full assurance of a blessed immortality; her last words, "Jesus can make a dyeing bed feel soft as downy pillows are," Adams Co, State of Ohio.

Samuel Smith was born on Wednesday Sept 25-1763 in Va., was married to Elizabeth Harrison on May 15-1792, who was born 28 of Feb 1772.

He died in the faith of The Lord Jesus June 4-1816, Caswell Co, N. C. She died in Caswell Co, N. C., 1838, on the 17 of December.

Elizabeth Smith was born Tuesday the 7th of April, 1767, in N. C., was married to James Downey. Died firm in faith, confident in hope of a joyful resurrection. Granville Co., N. C., Sept 17-1804.

Jane Smith was born on Friday Oct 7-1768, N. C., was married to Alexander Murphy in.....Deceased in June.....1813, Trusting in The Lord Jesus Christ. Caswell Co., N. C.

James Webb Smith was born Friday May 18-1770 Granville Co., N. C., was married to Polly Downey, First, (to Polly Webb 2nd), Departed this life between 1850 and.....Jackson Co., Tennessee.

John Granville Smith Thursday Mch 5-1772 Granville Co N. C. Departed this life Thursday Oct 2-1828, about 9 A. M., Granville Co., N. C. (He was never married).

William Smith was born Thursday June 2-1774, N. C., married Lethy Eaton, who married Maj Pugh and Dyed May.... 1831 Granville Co N. C.

William Smith Jr., son of Wm Smith, was born Oct 1-1817, died June 10-1827. He (Wm Sr.) Deceased June 4-1818, Warren Co N. C. Hoping for salvation thro the merit obtained on the cross by Jesus Christ

Maurice Smith was born Monday May 6-1776, Granville Co., N. C., was married to Frances Goodwin (1st. time) who was born Dec 1-1788. N. C. Married 2nd to Amy Webb in April 10-1829, who was born Aug 31-1794. N. C.

Frances Goodwin departed Sept 22-1828.

He died May 21-1835.

Thomas Smith was born Tuesday Feb 9-1779, Granville Co., N. C. Departed Saturday night Sept 27-1794.

Alexander Smith was born Monday Feb. 11-1781. Granville Co., N. C. Was married to Anne Beasley Sept 12-1811, who was born June 16-1788. Granville Co., N. C. He deceased Tuesday morning bet 12 and 1 A. M. Dec 25-1827; he lived a useful and moral life, being a peace maker all his days.

Their children

Mary Webb Smith Born Aug 24-1812.... Died Sept 20-1814.
Anne Alexander " June 12-1816.... Died July 22-1828.
Sarah Pomfret Smith Born April 17-1814. Died Aug 20-1831 was married on June 17-1829 to Samuel Smith Downey, being his 2nd wife.

Sam Smith Downey was a son of James Downey and Elizabeth Smith, daughter of Sam Smith and Mary Webb, and his first wife was Jane Harrison, half sister to Elizabeth Harrison, who married Sam Smith (3rd) son of Sam (2nd) and Mary Webb.

James Webb, born in Essex Co. Va., 1705, married Mary Edmonson, and were parents of Mary Webb, who married Sam Smith."

Addenda by Samuel N. Warren, of Spring Hill, Tennessee.

Since writing you last I have received a letter from Mrs. W. H. Gregory of Stovall, N. C., giving some items of interest.

"Abram's Plains" (the residence of Col. Samuel Smith after leaving Virginia) is in Granville Co., N. C., and the old home place is about four miles N. W. of Stovall, which is about twelve miles North of Oxford, the County seat of Granville Co.

Mrs. Gregory is descended from Alexander Smith, youngest son of Sam Smith and Mary Webb, as Alexander married Anne Alexander Beasley, and they had only one child to live to be married, and her name was Sarah Pomfret Smith, who married Samuel Smith Downey (his second wife), and they had only one child Anne Alexander Downey, and she married Isaac Hilliard Davis, and were the parents of Mrs. W. H. Gregory above mentioned, whose home is on a part of the original "Abram's Plains" tract, which extends very close up to Stovall.

Samuel Smith Downey was a son of James Downey and Elizabeth Smith, who was a daughter of Sam. Smith and Mary Webb.

Sam Smith Downey's first wife was Jane Harrison, half sister to Elizabeth Harrison, who married Sam Smith, son of Sam Smith and Mary Webb.

I had all this in my records, but Mrs. Gregory mentions that she has pictures of seven generations back from her great-nephew William Davis, whose present home is "Abram's Plains"; also says "I have silhouettes of Sam Smith and Mary Webb, his wife; also of their daughter, Elizabeth, who married James Downey."

Sam Smith, who married Mary Webb, was a Colonel in the Revolutionary War; his sons—

William Smith was a Captain in the Revolutionary War.

James Webb Smith a Captain in the Revolutionary War.

Alexander Smith a Captain in the 1812 War.

James Webb Smith's name is on the original Constitution of Tenn, and his son Sam Granville Smith was Secy of State for Tenn., 1832-5.

Thomas Smith, son of James Webb Smith, married Elizabeth Robertson, daughter of Dr Felix Robertson; he a son of Gen James Robertson, founder of the City of Nashville, Tenn.

James Webb Smith, Jr. (J. W. S. Sr., Sam Smith, Mary Webb) served on the staff of Gen B. F. Cheatham in the Civil war, and later married his sister Alice Cheatham, and has issue living in Tenn.

Joseph John Williams, born in Halifax Co., N. C., in 1786, was my mother's father; he married Mary Ann (I suppose), generally called Nancy Dawson, and, as I have it, daughter of Larkin Dawson & Winifred Sledge; she daughter of Sherrod Sledge.

Francis Williams (don't know whether had but the one name) married Rebecca Green in N. C., moved to Tenn about 1800 with his family, and settled in Davidson Co. He was with Gen Washington at Valley Forge, as letters to his family show; also an old receipt shows that he was Captain Francis Williams; he had Joseph John, Robert Francis, Ben W., Lewis, Ann Green, Rachel, Rhoda Ann, Zarina, James Blanton.

Maj. William Williams of the Forks had a son Joseph John, who married Martha James Alston, and of their children Margaret married Henry Whitfield, son of Wesley Whitfield, and Sallie Warren, she being a sister to my grand-father, Rev. Henry Warren, which is in accord with what has always been tradition in the family, but I have found no authentic record to this effect but a written slip saying so.

Of their sons, William and Robert, have no further mention than their names, and I think one or the other was father of Francis, my great grand father. For Francis had a son Robert Francis, and there was a William in every family of his children, and in one case William Francis.

Have you any records which would help me out here?

Have you any records of the Warren family of N. C. or of the family of Major Thomas Harrison, who married first a Miss Pendleton, second Mary Kennon, daughter of William Kennon? He was a son of Maj. Wm. Kennon & Anne Eppes, son of Richard Kennon & Elizabeth Worsham.

Henry Warren married Elizabeth Kimbrough, daughter of Nathaniel Kimbrough, born about 1720, who married Mary Alston (Dau. of Solomon Alston & Ann Hinton, Dau of John Hinton of Chowan Co., N. C.)

This Henry Warren was father of Reverend Henry Warren, pastor of the Edenton St. Methodist Church, Raleigh, N. C. He was my Grand father and married, first, Elizabeth Smith, daughter of Sam Smith & Elizabeth Harrison (Maj Thos Harrison & Mary Kennon), married second time Martha Jones, his first cousin, who at time was widow Edwards, sister to Kimbrough Jones of Raleigh N. C.

Robert Pitts Brown (my wife's father) was with Gen Forrest in Civil war, and had three brothers in other commands.

Henry Warren, my father in civil war, his father in Revolutionary War.

My sons, volunteers in late war, and Joseph the third son (aged 23) was a volunteer in the 79th Co., 6th Marines, and was in all the fighting done by them up to July 19 when he was killed in action, not so very far from VARENNES, France, from which town his name WARREN and family had its origin. And after fully 1000 years he goes back and is killed fighting for the preservation of the homes of his forefathers.

We had nice letters from both Geo Clemenceau and Pt. Poincare, saying if we would allow him to rest permanently in French soil that the French Government would erect a suitable monument and forever care for his grave, and this will be done.

We are very proud of the great record Joe made, going in as a private, saying there had to be some privates, and he and his brothers had as well be privates as any others. But they each had rapid promotion after getting in, tho' Joe was the only one to get to France. Corporal under fire. Sergeant under fire. Recommended for commission as Lieut., and day he was to have gone for it, his outfit went into action and he went with them and was killed.* While a private, seeing all his officers down, he took command and held the position.†

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*This we did not know of till we saw it on page 345 U. S. Navy report for 1918. He receive two Croix de Guerre, D. S. Cross and several personal citations.

†His Regiment, the 6th Marines and the 2nd Division, many citations. He held highest record for rifle shooting in his Regiment.

WILLIAMSBURG IN 1805.

(Extracts from the Richmond Enquirer.)

Mr. Anderson School for Young Ladies

Education & Polite accomplishments for young Ladies at Williamsburg, Va.

Whilst the enlightened period in which we live dawns with benign influence on female improvement, and parents every where become emulous to obtain for their daughters, the advantages which polite education confers, an establishment calculated to gratify this amiable and just solicitude, cannot fail to excite interest and meet approbation.

Mr. Anderson's institution for the instruction of young ladies, formed in the bosom of a society distinguished for intelligence and refinement, and embracing both the useful and ornamental branches of their improvement, enjoys peculiar advantages of situation.

As the seat of a justly celebrated university, and the residence of many families of the first distinction in our country, Williamsburg presents a scene, propitious in the highest degree to mental and personal accomplishments; and with a view, particularly, to the general improvement of young ladies, no place has superior claims to attention.

The severity of the past winter occasioned a temporary suspension of the exercises of the school, but they are now resumed; and parents, who wish to benefit by the establishment, may claim further information, on application by letter, or otherwise, to Mr. L. Anderson, Postmaster, Williamsburg, Va.

April 26.

Williamsburg Races.

On Wednesday the 30th October, will be run for over the Williamsburg Course, The Jockey Club Purse of Four hundred dollars, four mile heats.

The day following, The Proprietor's Purse of Two hundred dollars two mile heats.

Weights as follows:

Aged horses	133 lbs.
6 years old	128
5 do	118
4 do	106
3 do	90

Mares and geldings allowed 3 lbs.

August 29, 1805.

Subscribers to the Williamsburg Jockey Club are desired to pay the amount of their subscription money to Robert Anderson, the Treasurer, on or before the first day of October next.

By order of the Club

James Semple, Sen^{r}, Sec'ry

September 6.

WIGS.

Wigs were very fashionable in Virginia during the 18th century. The inventory of Stephen Besouth, a barber in York County, shows the kind of wigs in use in 1726.

No 1. To one tye wigg £2.10. No 2 To 1 bob wigg 1£ 15s.
No 3 & 4 To two ditto £2=£6.5
No 5 To one bob wigg £1. 5s. No 6. To one South Sea wigg £1
No. 7 To one horse wigg £1=2.15
To 8 brown wiggs 12/6=5
To one pig tail wigg £1. No 9 to one wigg £1.15=£2.15
other items were:
To one clothes press £1.5
To 1 doz cauls, 3 remnants of ribbon 12/6. To 2 barbers basons 5/=18s.
To 2 barbers blocks & 1 stand 15s. To some remnant horse hair and bleech(?) 5s=£1

The inventory of Robert Tennant, of the City of Williamsburg, made in 1725, names 1 Natural Wigg, £1, two bobb wiggs £4.10, three tye wiggs £6.10

YORK COUNTY RECORDS.

SOME WILLS AND OTHER RECORDS.

John Goodwin, of the Parish and County of York. Will proved in York County May 21, 1759. He mentions his children John, James, Peter, Thomas, and daughters Elizabeth and Alice. To son John he gave his plantation in Hanover County, and to his son Thomas stock in King William County.

His estate was valued at £2424.5.10. His inventory names the following negroes: "Mump, a negro fellow [valued at] £80; Will do. £75, Sam do. £50; Tom do. £80; Dick a boy £50; Winny and her child Patty £90; Grace a girl £50." He had 9 steers, one bull, and 28 cows and calves.

Francis Fontaine, "minister of York Hampton Parish in York County, Virginia." Will proved in York County, March 19, 1749. He names his children, Francis, Jr., the eldest, whom he disinherits, Mary, John, Thomas, James Maury, youngest son, to whom he gives all his books and manuscripts, and Judith Barber Fontaine. Wife Susannah Fontaine. His books were contained in "one large book case, one small do, 1 double book case of black walnut."

Susannah Fontaine. Will proved Sept 20, 1756; names her son-in-law John Fontaine, and daughter-in-law Mary Fontaine; son James Maury Fontaine to have all the books, book cases, and family pictures, and daughter Judith Barber Fontaine to have "all my Virginia cloth curtains and counterpanes." Her inventory was valued at £750.2.0½.

Samuel Dyer, of York County. Will was proved 21 March, 1757. It names Francis Rhodes, Sarah & Rebecca Rhodes, children of Clifton Rhodes; Sarah and Leonard, children of Richardson Henley; John Wright, James Harfield, son of Mathew Harfield; John Pegram; William Rhodes of Lunenburg; Uncle Robert Dyer; legacy to William and Elizabeth Mahone, son and daughter of Daniel Mahone.

Thomas Crease, "of Williamsburg, gardener." Will proved January 17, 1757. It names brother Mr. Thomas Hornsby and

Margaret, his wife; friend Hugh Orr and Catherine, his wife. His estate valued at £166.4.3.

John Collett, "of the City of Williamsburg." Will proved March 19, 1749. Names wife Susanna Collett, Solomon Davis, son of John Davis, of James City Co., Henry Bryan, son of Bridget Bryan; John Carter and Thomas Carter, sons of John Carter, deced; Benjamin Waller to have the residue of his estate.

Thomas Powell, "of York, in Virginia." Will proved July 17, 1749. Names his mother Mary Philipson, and brothers Seymour, Edward, Peter, Robert, John, James and Hudson Powell.

Samuel Hyde. Division of his estate between 1. John Hyde 2. William Timson by reason of his wife's part 3. Judith Hdye 4. Robert Sheild, Jr., by his wife's part of the dower slaves.

Clifton Rhodes, "of Bruton Parish." Will proved 1746. Names wife Sarah, son Francis; John Rhodes and Elizabeth Rhodes, children of Francis Rhodes; Clifton Rhodes and his brother, sons of John Rhodes, of Hanover Co.

John Young and Charles Jones, school teachers 1746.

William Prentiss, John Blair, and Wilson Cary, merchants and partners, 1746.

James Geddy. Will proved Aug 20, 1744. Names sons and daughters David, James, William John, Elizabeth, Ann, & Mary Geddy.

McKenzie. Estate of John McKenzie in the hands of Kenneth McKenzie, 1744.

John Scott, gent., was this day sworn an attorney in this court, according to law.

Lewis Hansford, apprenticed to Samuel Gordon, merchant, 1740.

Schoolhouse on Wormely's line 1740.

Robert Gooding paid £1.6.0 for putting pillars to Chiscake Church.

John Pasteur, "of the City of Williamsburg, perukemaker. Will proved Nov 16, 1741. Names wife Martha Pasteur and children, Mary Cosby, wife of Mark Cosby, Anne wife of Samuel Cobbs, Lucretia, wife of Matthew Sheilds, James, Blovet, William, Martha and Anne Pasteur; friend Thomas Johnson of Charles City Co.

Thomas Powell. Will proved May 21, 1739. Names children, William, Thomas, Seymour, John, James, Hudson, Edward and Mary. Will dated July 25, 1739. Wife Mary. Personal estate £237.12.2¼.

Order for the building of a new prison June 20, 1737.

Armiger Parsons, his inventory. 1736. Names among other things a silver seal.

James Bachurst, school teacher, inventory £316.9.0. March 19, 1732.

Mr. Griffith Bowen, having produced a license signed by the governor, was admitted to practice law, 1732.

James Vernon, attorney. March 15, 1730.

William Gordon, "of the town and county of York." Will proved 1730. Names wife Margaret Gordon, to whom he gives his town lot and houses and storehouses on the river side, and lands in Warwick County with six negroes, during her natural life; daughters Mary Dowsing, Barbara Bowis, and son-in-law Dr. Robert Bowis, grandson Gordon Dowsing, grandson William Gordon Bowis; to son-in-law Robert Dowsing "all my wearing apparel, together with a young horse in "York Old Fields"; William Wright, grandson of his wife; Margaret Gordon executrix."

Henry Bowcock, of Williamsburg. Will proved February 16, 1729. Son Henry to be delivered him when he shall arrive at the age of 18 years my silver watch, my gun which was made by John Burch, a case of pistols with brass barrels made by Hawkins and my housing and holster caps. Makes his wife, Mary Bowcox executrix.

Rev. James Falconer, of Charles Parish, York Co. Will proved May 20, 1728. To be buried in the church just before the pulpit. His estate to be equally divided between his wife and daughter, and in default to go to his brothers and sisters in the County of Murray, Scotland. His daughter's grandfather Col George Newton, of Norfolk County, and Capt. Edward Tabb of Charles Parish in York County to be his executors. His estate was appraised at 284£ 1.1.

Florence McCarty's Inventory £126.6.3. (1726). In 1718 £439.10.4 was reported.

HISTORICAL AND GENEALOGICAL NOTES.

SIR JOHN CLAY. Mr. A. C. Quisenberry, of Hyattsville, Md., writes as follows: "I noted the item concerning *Sir John Clay,* Hanover Co., Va. (in your last issue), which reminds me of another case. I have been employed by the Kentucky Historical Society to make transcripts of the third U. S. (Ky.) Census, 1810, several counties, for their magazine from the original lists of the enumerators, which are still preserved in the Census Office in Washington, the 1810 schedules being the earliest Kentucky lists still preserved. The other day in transcribing the lists of Madison County I found 'Sir Francis Drake,' as the name of one of the heads of families in Madison County, Ky., in 1810. It is inexplicable to me."

Sherwood. Philip Sherwood died in old Rappahannock County in 1684, or earlier. His daughter, Martha, was wife of Thomas Marshall. Mr. Henry Strother, of Fort Smith, Arkansas, writes that he can furnish record proof that this Thomas Marshall was grandfather of Col. Thomas Marshall, father of Chief Justice John Marshall. Two Sherwoods are well known in Virginia History: William Sherwood, of Jamestown, the well known lawyer, who left no children, however, and Grace Sherwood, of Princess Anne County, who was accused of being a witch. She married James Sherwood and her will, dated 1733, proved 1740, names three sons, John, James and Richard.

CORRECTIONS.

The Goodriches of Isle of Wight County, Virginia (p. 131). After the line beginning with "VII. Emily Munro Shedden," read, in place of "VI. Robert Sheddin, of Brookland, Hants., whose daughter," *Henry George Cary* (1800-1840) *of Tor Abbey, whose daughter,*

Burton Memorandum (p. 113). In note 1 read, "this William Hunt was probably *son of* William Hunt of Bacon's Rebellion." In the records of Surry County is a deed dated April 1, 1714, from "William Hunt and Tabitha his wife, of Charles City Co." to William Hamlin for land on Nottoway river. Witnesses, Peter Wynne, Charles Hamlin, James Williams.

LINCOLN AND FORT SUMTER.

John Archibald Campbell, Associate Justice of the United States Supreme Court, 1853-1861. By Henry G. Connor, LL. D., Judge of the United States District Court for the Eastern District of North Carolina. Boston and New York. Houghton, Mifflin Company. The Riverside Press, Cambridge, 1920.

In this small book Judge Connor gives a very interesting account of this very eminent judge, John A. Campbell. Interest centres on probably the most important incident of his career—his negotiations with Wm. H. Seward, Secretary of State under Lincoln, in regard to Fort Sumter. The evidence against Seward himself of his desire and intention to surrender the Fort to the Confederates is so overwhelming that no denial of it has been attempted. But the effort has been made by many Northern writers, and still is made, that Lincoln himself was altogether ignorant of Seward's conversations with Judge Campbell. Mr. Seward has been made the scapegoat, and it is pretended that not only did Lincoln not know of Seward's assurances, but that he never swerved from the language of his inaugural that he intended to hold the forts and other public property of the United States.

When one views the situation in the light of the evidence now available, there is no good reason to impeach the sincerity of Mr. Seward to carry out his assurances, and if he finally submitted to be overruled by the President, that was in the nature of his position as a subordinate officer. A man of higher spirit, like John Quincy Adams or John C. Calhoun, for instance, would have resigned, and would certainly not have endorsed Lincoln's procedure as Seward appears to have done, when he wrote "Faith as to Fort Sumter fully kept."

But how was it with Lincoln? He had the real responsibility of acting. Is it true that he acted consistently throughout? Is it true that he did not know of the assurances to Judge Campbell? Is it true that he was free from any just suspicion of deceit? To these questions the evidence seems, in each instance, to give an answer in the negative.

It is notorious that throughout the closing weeks of Buchanan's administration the Republican party in Congress avoided all positive action on the subject of coercing South Carolina. Mr. Buchanan had asked Congress for powers to meet the unprecedented condition of things, and to all his appeals Congress had showed the most complete indifference. Lincoln was a Republican, and his speeches on his journey to the Capital bore a similar stamp. He made light of the troubles in the country, and we are told that his remarks had a most

depressing effect upon Major Anderson and his men at Fort Sumter.

That this attitude of mind harmonized with any serious resolve to meet the crisis by bold measures is not apparent, and that he was from the very first, in favor of abandoning the fort is proved by several witnesses, including John Hay, his private secretary, reporting Lincoln's own language, save that he had not till after his inauguration contemplated an evacuation without some condition.

Governor C. S. Morehead, of Kentucky, says* that on Mr. Lincoln's arrival in Washington he waited upon him in company with Mr. Rives, of Virginia, Mr. Doniphan, of Missouri, and Guthrie, of Kentucky, members of the Peace Conference, and that in answer to the earnest solicitations of these gentlemen he promised to withdraw the troops from Fort Sumter "if Virginia would stay in the Union." This is undoubtedly the interview to which Lincoln alluded, as reported† by John Hay in his Diary under date of October 22, 1861, as taking place between himself and certain "Southern pseudo Unionists" before the inauguration at which time, as he said, he promised to evacuate Sumter, "if they would break up their convention (the Virginia Convention) without any row or nonsense. They demurred."

In these reports there is an agreement on the main point of evacuating the fort, but a discrepancy on the condition, as to which Morehead's statement is entitled to the greater credit, since he reduced the "entire conversation to writing soon after it occurred," whereas Lincoln's statement was made about eight months after the interview. When in London a year or two later, Morehead reiterated his statement which was published in the London Times. Schleiden, the German minister resident at Washington, reported† that Lincoln had said to the Peace Commissioners of Virginia, "If you will guarantee me the State of Virginia I will remove the troops. A state for a fort is not a bad business." Schleiden doubtless referred to this interview, as there is no positive record of any other.

After the inauguration Lincoln's mind tended more and more to evacuating the fort. There is strong evidence, indirect and direct, that during the greater part of March he had concluded to withdraw the troops without any condition whatever. There is the fact that the administration was notified on March 5th by Major Anderson that he had provisions only for a month and that if his relief was intended a large armed force was required. There is the opinion of

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*Coleman, *Life of Crittenden*, II, 338.

†*Letters and Diary of John Hay*, I, 47, quoted in White, *Life of Lyman Trumbull*, p. 158.

†Connor, *John A. Campbell*, 146, 147.

General Scott, head of the army, that relief of the fort was impracticable, and there was the rumor heard everywhere that the fort was to be surrendered. There was the information imparted by Seward to J. C. Welling, editor of the *National Intelligencer*, with the full knowledge and consent of Lincoln, as claimed by him, that the fort was to be evacuated, which information Welling communicated to Summers in order to hearten the Unionists in the Virginia Convention. There is the "Diary of a Public Man," which says under date of March 11, 1861, that Douglas informed the writer that Lincoln told him the troops would be withdrawn. There is the statement of Thomas L. Clingman that a member of the Cabinet (evidently Mr. Blair) told him in 1866 that Lincoln and every member of his Cabinet except himself was in favor of letting Anderson retire from Fort Sumter. Then there is the action of the Cabinet itself, all of whom but one expressed to Lincoln, on March 15, their opposition to reinforcing Fort Sumter.*

Fitting in with all these bits of evidence the positive statement of Judge Campbell, as given in Judge Connor's book, leaves it hardly possible that Lincoln was averse to surrendering the fort. According to Judge Campbell, Seward was so confident of the withdrawal of the troops that on March 15 he gave five days as the extreme limit within which the withdrawal would take place. When six days passed and the withdrawal did not take place, Seward himself expressed much wonder, saying that *"the resolution had been passed and its execution committed to the President."* In strong corroboration is a paper published by Governor Francis Pickens, of South Carolina, in August, 1861, which contains the information that Lincoln at one time signed an order for the evacuation. Pickens says that he had the intelligence from "one very near the most intimate councils of the President" that this paper was submitted as a proof sheet to Mr. Lincoln and his Cabinet, and that a proclamation in conformity with its general views was to be issued. The paper is in the nature of a defense of Lincoln's imputed action and puts the blame on the treasonable conduct of Mr. Buchanan, which rendered the surrender necessary.

What is the meaning of all these indications? Mr. James Schouler is an example of an extreme partisan, having little sympathy with any Southern man, but even he is bothered with a conscience. And in his History of the United States he has the manhood to say that in his opinion Lincoln was privy to all the assurances of Seward. Were it otherwise, why should the President on April 1, he pertinently

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*See on all these points, with the authorities given, the excellent article contributed by Wilmer L. Hall to the Southwestern Quarterly Review, July, 1914, entitled "Lincoln's Interview with John B. Baldwin."

asks, have instructed Seward to inform Campbell that he would not provision Sumter without notice. That Lincoln allowed this to be communicated to Campbell is admitted by his private secretaries, Nicholay and Hay, who cite Lincoln's own language to that effect*

And here comes in the question of deceit. How far is deceit to be attributed to Lincoln? Jefferson Davis and other Confederates professed in their letters during these days distrust of any assurances on the part of Seward or Lincoln, and continued their defensive preparations, but they did not attack Fort Sumter, as they probably would otherwise have done. This possession of the fort was deemed a matter of much importance, and they showed the reserve which any man would feel in dealing with an enemy. But this did not lessen the moral obligations of Lincoln. The President had an undoubted right to change his attitude, if he cared to do so, but he was in honor bound to give notice of it. This he recognized himself, according to his private secretaries, who quote his own words, and the deceit practiced by him lies in the insufficiency of the notice. The notice should have been sent in a reasonable time before the order for the sailing of the relief squadron, but the two went simultaneously and the notice reached Pickens on April 8, when the first part of the squadron was leaving New York for Charleston harbor. For all practical purposes the notice might as well have not been given. The real valuable notice Pickens received from other sources, which enabled the Confederate authorities to defeat the purposes of the government.

The change from peace to war began about the 29th of March, when certain radical influences got to work and made themselves felt, first on the Cabinet and then on Lincoln himself. On March 15 only one man in the Cabinet was absolutely in favor of reinforcing Fort Sumter, and on March 29 the Cabinet was nearly evenly divided. The determining influence appears to have been the tariff question. On March 16, 1861, Stanton, who had been a member of Buchanan's Cabinet, and had not yet taken sides with the Republicans, wrote to the ex-President that "the Republicans are beginning to think that a monstrous blunder was made in the tariff bill (the Morrill tariff, passed after the Senators from the cotton States had left their seats, with rates from 50 to 80 per cent.), that it will cut off the trade of New York, build up New Orleans and the Southern ports and leave the government no revenue." There was a Confederate tariff from ten to twenty per cent., and Lincoln's fears of it were ultimately excited. So it was this that caused the President to take a more guarded stand, and caused him on April 1, 1861, to require Seward to place

*Nicholay and Hay, IV., p. 33.

a written memorandum in Judge Campbell's hands to the effect that the President might desire to supply Fort Sumter, but would not do so without giving notice.

Still the President had not entirely abandoned his old policy of peace, but absolute surrender now gave place to one conditionally stated, as before his inauguration, only the condition was more drastic. It was that the Virginia Convention should break up. He set on foot new negotiations with the Virginia Convention, which are referred to by John Hay in the latter part of the paragraph reporting Mr. Lincoln at Seward's house on October 22, 1861:

"Subsequently (*i. e.* subsequent to the interview with Morehead and others of the Peace Conference before the inauguration) he renewed the proposition to Summers, but without any result. The President was most anxious to prevent bloodshed."

The true story seems to be that Lincoln intended to make the proposal and took steps accordingly. But when the moment came he changed his mind and never actually made it. The facts appear to be as follows. He sent Allen B. Magruder, a Virginia lawyer residing in Washington, to have George W. Summers, a leading Unionist in the State Convention, to come to see him. Magruder reached Richmond April 2nd. Mr. Summers could not come and John B. Baldwin came in his stead. He arrived in Washington on April 4, and immediately went to see Lincoln. But Lincoln told him that "he had come too late," and when Baldwin earnestly pleaded with him in favor of letting the South alone, Lincoln vehemently asked "what would become of his revenue?"

There was at that time in Washington the governors of many of the Northern States, which were especially under the control of the tariff interests, and these men brought all their pressure to bear upon Lincoln to coerce South Carolina, offering him men and money for the purpose.* Considering the enormous interests centering around the tariff, the pertinency of Lincoln's question to Baldwin on that subject, and the menace in 1833 when the tariff actually pushed the country to the verge of war, it is not surprising that the final determination turned upon it. Between April 2 and April 4 Lincoln changed and decided on war. Two days after Baldwin's interview Lincoln ordered his armed squadron of relief to Fort Sumter, and began the war as his Cabinet on March 15 had warned him would be the consequence of any such action.

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*For the presence of these governors, see the *New York World* and New York *Herald* of April 5, the Richmond *Examiner* for April 10, containing a Washington news letter dated April 7, Baldwin's pamphlet in reply to Botts, 1866, Staunton, Va.

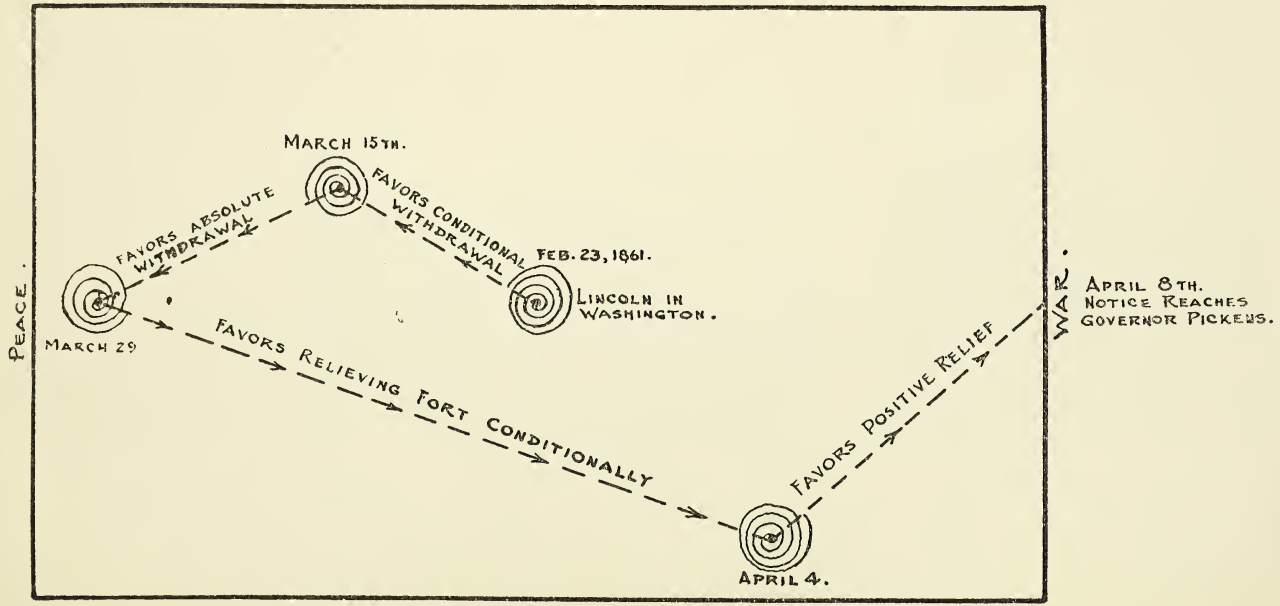
In no way antagonistic to the main purpose of this paper, which is to show the fluctuating action of Lincoln contrary to what is so often asserted, it is interesting to note that while John B. Baldwin declared that no proposal was actually made, Lincoln, in the extract above from John Hay's Diary, is reported as saying that it was made "but without any result." As reported by John Minor Botts, detailing several years later an interview with Lincoln on April 7, 1861, Lincoln made the same statement and said that Baldwin scouted the idea of adjourning the convention. But Botts, proverbially inaccurate because of his overconfidence, weakened his declaration by reciting minor details which could never have occurred, and Hay's entry in his Diary is not contemporary with the act and confuses Baldwin with Summers. Baldwin very rightly claims that, as specially charged with this matter by his friends in the convention, his testimony is of the higher character, and Summers and other friends in the convention declared that the statement made by Baldwin before the Reconstruction Committee in 1866 was substantially what he told them on his return from his mission to Washington.

Be that as it may, the vacillation of Lincoln cannot be doubted. Lincoln in March, 1861, was far from exhibiting the character of a great leader. His admirers never tire of abusing Mr. Buchanan for not at once using force to put down the "rebellion," and yet never was a greater picture of inefficiency presented than that by James Schouler of Lincoln: "So reticent indeed of his plans had been the new President, while sifting opinions through the month, that it *seemed as though he had no policy but was waiting for his Cabinet to frame one for him.*"

Lincoln has been compared with Washington, Shakespeare and Jesus Christ, and without any real justification. Washington, by the single influence of his majestic moral power, held the jarring States together in war and peace, and Lincoln held them together by brute force. He failed signally as a peacemaker. William Shakespeare explored all the realms of human imagination, and Lincoln only soared fitfully to nobler plains. And it is downright sacrilege to compare a man who was habitually unclean in his private conversations with the immaculate Jesus. What Lincoln really was has apparently escaped modern criticism. He was a dancer, who shows off to fine advantage when gyrating about in the beautiful garments of his Gettysburg speech and several of his messages, but who very often seems downright ridiculous when viewed on the serious plain of action. All our other Presidents, like most sensible pedestrians, have proceeded in direct lines to their destinations, but Lincoln danced towards them, and got there, only after various dashes this way and that and performing astonishing evolutions as he went.

Thus, to illustrate in the Fort Sumter matter, Lincoln may be considered as standing in the centre of a room, one side of which represents peace and the other side war. His first movement is towards the side representing peace, but as his terms were conditional he must be represented as dashing off obliquely like dancers do. After going a short distance he spins around, and goes straight to his object and almost gets there; then changing his mind he circles again and dashes off to the war side of the room, but at an oblique angle as at first. Then after proceeding a short distance, he gyrates again, and chassés this time directly to the war side, which he reaches.

A similar description applies to his action on emancipation. First he was absolutely against it, then he was provisionally against it, then he was provisionally for it, and finally absolutely for it. At Gettysburg he came to dedicate a part of the battlefield, and succeeded in dedicating himself and the noble dead of the Federal Army, through a solemn dance, which no one will deny was singularly appropriate and becoming. Here he had the proper room for his talents, but no one recognized the graces of his speech till many years later. The reason was that, while he was a shrewd platform debater and a writer of catchy sentences, he did not belong to the class of born leaders of men, like Chatham and Burke, Patrick Henry and Henry Clay, whose delivery and voice stormed the attention of their audiences. And, by the way, as the manager of a great war, how feeble Lincoln appears beside the great Commoner Chatham. The four years of the latter were marked by victories on the lands and seas of four continents, till the little Island Kingdom "seemed to balance all the rest of Europe." The four years of the former were often marked by defeat and despair till, though backed by the rich and populous North, and with all Europe to draw recruits from, he had to confess that, without the aid of a part of the South's own population, the negro troops enlisted in his service, he would have had to "abandon the war in three weeks."



LINCOLN'S FORT SUMTER DANCE.

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Vol. II. No. 4. APRIL, 1921

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and

Genealogical Magazine

Editor: LYON G. TYLER, M. A., LL. D.

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NOTICE

Owing to an error, the pages of the July issue were numbered as in continuation of the last volume. The paging of the October issue proceeds as if the July issue was correctly numbered from 1 to 72.

Owing to the high cost of printing, the editor finds it necessary to advance the price of this magazine, beginning with the July number, 1920, from $3 to $4 per year. Single numbers will be sold at $1.25.

As back numbers of the old William and Mary College Quarterly, which was the original name of the present magazine, have become very scarce, single copies, as far as had, may be obtained for $2 a-piece.

Address all communications to LYON G. TYLER, 711 Travelers Bldg., Richmond, Va.

CONTENTS

The Judiciary Power 217
Rhode Island and Independence 222
The Litchfield Law School 224
Memorial for an Established Church..... 230
Site of the University of Virginia 233
Petition of the College of William and Mary, 1776.. 234
Library, Endowment Fund, and Lands of William and Mary College in 1824 243
The Great Freshet, 1771 244
Scotch Broom 246
Register of Marriage Bonds of Greenville County, Virginia, 1781-1808 248
Records of Holladay Family 257
Some Descendants of Lieutenant William Blackburn..... 263
William Powell 268
York County Records 270
Burton Memorandum 273
Historical and Genealogical Notes 279
Book Notices 283

Tyler's Quarterly Historical and Genealogical Magazine

Vol. II. APRIL, 1921 No. 4

THE JUDICIARY POWER.

The first assertion of the power of the courts to set aside an act of the Legislature contravening the constitution was made in Virginia by the County Court of Northampton County. After the passage by Parliament of the Stamp Act in 1765, the policy adopted by the colonists in general was to embarrass England by loud protests and non-importation associations. Everywhere else the courts of the different American colonies declined to transact any business requiring stamps or proceeded to business on the plea that no stamps were obtainable. In Northampton County, Virginia, alone, the court met the issue face to face and declared the act of parliament null and void as contrary to the Constitution. Although Virginia had no written constitution at the time, it did have, as England has, an unwritten one, and there is no reason why the courts could not have asserted their protectorship of it.

This proceeding of the Northampton County Court is so remarkable that a copy of the record as published in the *Virginia Gazette* should be given here:

"Virginia—Sc.

"At a court held for Northampton County Feb. 8, 1766.

"On the motion of the clerk and other officers of this court, praying their opinion whether the act entitled 'An Act for granting and applying certain Stamp Duties and other Duties in America,' etc., was binding on the inhabitants of this county, and whether they, the said officers, should incur any penalties by not using stamped paper agreeable to the directions of the said act, the Court unanimously declared it to be their opinion that the said

act did not bind, affect, or concern the inhabitants of this Colony, inasmuch as they conceive the same to be unconstitutional, and that the said several officers may proceed to the execution of their respective offices, without incurring any penalties by means thereof, which opinion this Court doth order to be recorded.

Griffin Stith, C. N. C."

After the adoption by Virginia of the first State Constitution June 29, 1776, the unalterable character of the instrument was not distinctly recognized by succeeding legislatures. The convention itself, meeting as a house of delegates in General Assembly with the Senate, in the fall of the same year, passed several acts in contradiction of their own work. A similar course was pursued by succeeding legislatures.

The first check to this proceeding was given by George Wythe in 1782, in the case of *Commonwealth* vs. *Caton,* 4 Call's *Reports,* 5-21. His opinion was a pure *obiter dictum,* but derived weight from his personal reputation, the singularity of the case, and his judicial position.

In the summer of 1783 there was some talk of a new convention, and Mr. Jefferson, who held the opinion that the old convention of 1776 in making a constitution, had gone beyond its powers, drew up a plan of government to be submitted to a new convention when it should meet. It never met, but in this paper it was expressly provided that the General Assembly "shall not have power to infringe this constitution." That Jefferson looked to the courts at this time as the protector of the constitution, appears from a letter to Meusnier dated January 24, 1786, in which, while referring again to the unlawful conduct of the Virginia legislature, he added: "I have not found that the other States have ever infringed their constitution . . . as the judges would consider any law as void which was contrary to the constitution."

Next followed the *Case of the Judges* in 1788, when the extra duties of riding circuits were imposed upon the judges of the Supreme Court of the State. The judges regarded this action

as one affecting their independence, contrary to the third article of the State Constitution, and entered a strong protest. The legislature, thereupon suspended their law, and subsequently, with the acquiescence of the judges, who resigned, made a reorganization of the Judiciary, which the public interests demanded.

The case of *Kamper* vs. *Hawkins* (1 *Va. Cases,* p. 81), which came up in 1793, was directly in point. The constitution separated the common law and chancery jurisdictions, and an act of the legislature passed in 1792 united them in certain particulars. All the judges of the General Court entered opinions upholding the authority of the constitution.

Though this decision settled the matter in Virginia, the general acceptance of the principle in the Union at large dates from Chief Justice Marshall's decision in *Marbury* vs. *Madison.* In rendering it, it is reasonable to suppose that he was influenced by the previous action of the Virginia Courts, which must have come under his observation. But it is doubtful that he ever heard of the early cases sometimes cited from New Jersey (1779), from Rhode Island (1786) and North Carolina (1787).*

In *Marbury* vs. *Madison,* the purely judicial question was complicated by others purely political. Jefferson who, as seen, had taken an early stand on the superior character of the Constitution and the Courts, did not believe that this authority in the Federal judiciary extended to all things—the proper functions of the executive or to the fundamental relations of the States to the Union. The question before the court was the issuance of a *mandamus* to Madison, the Secretary of State, but Marshall, while going at great length on the propriety of such action, denied his authority to grant relief, because the act of Congress giving the Supreme Court power to issue mandamuses was unconstitutional, which Jefferson never denied. As a matter of fact Marshall's comments upon the executive power was purely an *obiter dictum,* and the decision taken as a whole had as much the character of an offen-

*See Beveridge, *Life of John Marshall,* Vol. III., Appendix C, for a citation of these cases. Note Jefferson's Ignorance of the New Jersey Case in letter to Meusnier, cited above.

sive lecture from the bench to the President of United States as the assertion of a solemn principle. On the original question before the court, the right of the petitioners to their commissions as justices, in his letter to George Hay in 1807 Jefferson takes issue with Marshall and sets out the law most conclusively. No judge would pretend to-day to interfere with the Executive in an appointment.

The Federalist judges, including Marshall, wanted to make the Supreme Court the "final arbiter," and on this account they claimed a universal common law jurisdiction, and even tried to make their construction of the international law binding on the Executive. But thanks to the stout opposition of the State courts, and the early Republican Presidents, this plan of action was defeated and has no place in our governmental system to-day.

Wherever the final arbiter existed, whether in the States, or in a convention of the States, or in the mass of the people, it necessarily never did and does not now rest in the Supreme Court of the United States, or any other Federal court.

There are many questions of vital importance that can never get before the Federal courts for decision. Such is a protective tariff, which has seriously threatened the existence of the Union more than once. Before resorting to nullification in 1832, South Carolina tried to get a Federal district judge in 1831 to decide the validity of the tariff law of 1828, alleging the unconstitutionality of duties in the interest of protection. But the court refused to take cognizance, because the protective question was juridically concealed in the rates. (Summer, *Life of Andrew Jackson,* pp. 220, 285, 286.)

In his *Life of John Marshall,* Mr. Beveridge says that "the nationalist ideas of Marshall and Lincoln were identical" (IV, 293). There never was a greater confusion of thought. Marshall stood for the authority of the law, and Lincoln treated the courts with contempt. Lincoln refused to pay any attention to Chief Justice Taney, who denied his right to suspend the writ of *Habeas Corpus,* and the constitution of which Marshall was the champion was practically nullified by Lincoln.

This very case of *Marbury* vs. *Madison,* which set aside an act of Congress, proves that, while in favor of construing the constitution favorably to the national view, Marshall would have been one of the last to submit to the usurpations of either the President or Congress, which were as objectionable to him as any narrow interpretation by the State courts.*

After all, did the decisions of Marshall have any real effect upon the ultimate question of State and national sovereignty? They certainly had no effect in the South where submission to his decisions did not interfere with an ever-increasing maintenance of the doctrine of States right. Then why should they have had any real effect in the North? There was, in fact, no real antagonism between the most powerful Federal government and the right of secession. There is no reason why sovereign States may not form a constitution giving the most ample power to a Federal government and yet reserve the right to secede at their discretion. The real influence in 1861 must be sought not in the decisions of Marshall, but in the diverse interests of the two sections of the Union, which caused one, the weaker, to resort to States rights as a defensive measure and caused the other, the stronger, to resort to force and nationality to maintain its own consciousness of power.

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*In the same volume, p. 92, Mr. Beveridge finds many resemblances between Marshall and Lincoln in personal characteristics. Doubtless, quite as many personal differences could be found. Marshall was a gentleman, and it is impossible to associate him with the fifthy stories told by Lincoln, or to suppose that he could write such an abominable letter as Lincoln wrote to Mrs. Browning, with its base insinuations against the virtue of a lady to whom he had proposed and by whom he had been rejected. (Lamon, *Life of Lincoln,* 1872, p. 181; Nicolay and Hay, *Letters and Speeches of Abraham Lincoln,* I, 17-19.) The constitutional limitations, which weighed so much with Marshall, had no similar importance to Lincoln, who, in discussing the emanicipation question, declared that he would look only to its effects as a war measure, independent of its *legal* or *constitutional* character, or of its *moral nature* in view of possible consequences of a massacre of the Southern people! (*Complete Works of Abraham Lincoln,* VIII, 30, 31). It is impossible to suppose that Marshall could have given utterance to such a sentiment.

RHODE ISLAND AND INDEPENDENCE.

In his interesting *Life of John Marshall,* Mr. Beveridge states in a footnote (Vol. III, p. 118) that Rhode Island "formally declared" Independence two months before Congress adopted the pronunciamento penned by Jefferson. Is this a correct statement?

A reference to the act passed by the Rhode Island Legislature May 4, 1776, fails to show that it was a "formal declaration" of Independence. The act contains a disavowal of the authority of King George and a requirement that all commissions should issue thenceforth in the name of the Colony, but there are no words of a formal separation from the British Empire. The act affected the local conditions, but it did no more than what other colonies had already avowed and expressed. Several, like New Hampshire and South Carolina, had gone so far as to adopt temporary constitutions, and everywhere for a year or more the King's authority was disregarded. The instructions adopted the same day, by the same body, to the Rhode Island delegates in Congress gave no direct authority on the subject of independence. Frothingham, in his *Rise of the Republic,* says that the instructions were "secret, aroused no enthusiasm and made no mark."

The substitution for the loyal words, "God save the king," the words, "God save the United Colonies," at the close of the records of this Assembly negatives the idea of a formal assumption of the status of independence. Had the words been "God save the State of Rhode Island" or "God save the United States," the case might have been somewhat different.

After all, the act was a merely legislative act, and not one of the people assembled in a Constitutional Convention, empowered to deal with fundamental questions.

Indeed, it has never been argued that the resolutions adopted by Congress on May 10, recommending to the Colonies, "when no government sufficient to the exigencies of their affairs has been hitherto established, to form such government as might conduce to their happiness in particular and that of America in general,"

was a formal Declaration of Independence, despite the words of the preamble adopted five days later (May 15) that *"it is necessary that every kind of authority under the crown of Great Britain should be totally suppressed."*

On the other hand, the action of Virginia on the same day (May 15) *was* a formal Declaration of Independence. On that day the Virginia Convention directed a committee to prepare a Declaration of Rights and a plan of government and this order followed resolutions, part of the same paper, directing the Virginia representatives in Congress to move that body to declare the Colonies *free and independent States.* Following this, when the committee reported their plan, which was adopted June 29, 1776, the designation was "Commonwealth of Virginia," instead of "Colony of Virginia," as hitherto. None could doubt that an independent State had arisen, for not only was it declared that "the government of this country as formally exercised under the crown of Great Britain is totally dissolved," but by ordinances passed by the same body of representatives a seal was ordered and all officers were required to swear allegiance to the "Commonwealth of Virginia."

Between June 29 and July 2, when Congress adopted Richard Henry Lee's resolutions of Independence for all the Colonies, no other Colony acted, and thus Virginia presented the picture of being the only one to take the stand of independent Statehood, before Congress, in the name of all, asserted it for all as sovereign States.

THE LITCHFIELD LAW SCHOOL.

By ARCHIBALD HENDERSON.

In the last issue of this magazine, I read with interest the list of Virginians and North Carolinians who had attended the Litchfield Law School. Some years ago, a copy of the catalogue, reprint of 1900, came into my possession. This catalogue contains pictures of Judge Tapping Reeve and Judge James Gould, and their homes at Litchfield—as well as lists of students to as early a date as 1798. It was once believed that prior to 1798 four hundred students had attended the school, according to the "Advertisement" of January 1, 1828. At the end of the catalogue of 1849, as well as in the "Notice" preceding it, however, the claim is modified to read that the number up to 1798 exceeded 200 (given at end as 210).

The question as to priority between the Law School at the College of William and Mary and the Litchfield Law School, fully discussed in the *New York Times,* August and September, 1920, is not of interest to the present purpose. It is worthy of note that the "Advertisement," January 1, 1828, states that the Litchfield Law School was "established in 1782," whereas the "Notice" of 1849 says: "This School, the first established, and for many years the only one in the United States, was commenced in the year 1784 . . . " The year 1779, in which George Wythe began his lectures in law at William and Mary, antedates either date given for the establishment of the Litchfield Law School. It is, however, probably not open to question that the Litchfield Law School was the first law school proper, as such—that is, wholly devoted to that one object as distinguished from being one of the departments of a college—established in the United States.

Its record is a proud one; and John D. Champlin, Esq., in his article on "Litchfield Hill," says of the alumni of this famous law school: "Sixteen became United States Senators; fifty, members of Congress; forty, Judges of higher State Courts; eight, Chief Justices of States; two, Justices of the United States Supreme Court; ten, Governors of States; five, Cabinet Ministers;

and several Foreign Ministers, while very many were distinguished at the Bar." This record is of concern to the country generally, since the students at Litchfield were recruited from all sections.

According to the unsigned article, "The Litchfield Law School" in *Law Notes,* February, 1901, the young lawyer, Tapping Reeve, then not long married to Sally Burr, daughter of President Burr of Princeton and sister of Aaron Burr, removed from Hartford to Litchfield prior to the Revolution. "Until the conclusion of the Revolutionary War," the article sets forth, "there was but very little civil business done in the county at Litchfield, and Mr. Reeve betook himself to giving instructions to young gentlemen who looked forward to the legal profession for support and advancement when quieter times should come. This employment tended greatly to enlarge and improve his stock of legal learning, and led the way for him to begin in 1784 a systematic course of instruction in the law and to regular classes. The Law School dates from that year." During the existence of the school, which continued in successful operation and with annual graduating classes until 1833, its national character is shown by the fact that more than two-thirds of the students registered from States other than Connecticut. The South was represented as follows. Maryland thirty-nine, Virginia twenty-one, North Carolina twenty-two, South Carolina forty-five, Georgia sixty-nine, Mississippi and Tennessee one each, Kentucky nine, Alabama three, and Louisiana seven, as well as four from the District of Columbia.*

Aaron Burr studied law at Litchfield, but not at the Litchfield Law School. The most distinguished alumnus of that school was John C. Calhoun, who entered in 1805. "Only a few rods from the school building," says Moore, "was the house where Harriet Beecher Stowe was born in 1811, and Henry Ward Beecher in 1813, and a short hour's walk would have brought the young

*The above-mentioned article in *Law Notes* was written by Charles C. Moore, a former member of the Litchfield bar, and afterwards one of the editors of the *English and American Encyclopedia of Law.* In the preparation of the article he was materially assisted by the late Chief Justice Charles B. Andrews.

Southerner to the spot where John Brown was born in 1800, in the adjoining town of Torrington." Whether these hypothetical excursions of Calhoun into purlieus of Abolitionism were to be pleasure promenades, the deponent saith not.

An interesting and intimate account of the Litchfield Law School, as it was in 1813 is contained in Kilburn's work, being embodied in the speech of the Hon. Charles G. Loring, of Massachusetts, of the class of 1813, at the Annuel Dinner of the Story Association, Cambridge (Mass.) Law School in 1851. Judge Kent gave the following sentiment: "The first-born of the law schools of this country—the Litchfield Law School. The Boston Bar exhibits its rich and ripened fruits. By them we may judge of the tree and call it good." In response, the Hon. Charles G. Loring, spoke in part as follows concerning his experiences as a law student at Litchfield:

"The recollection is as fresh as the events of yesterday, of our passing along the broad shaded streets of one of the most beautiful streets of one of the most beautiful of the villages of New England, with our inkstands in our hands, and our portfolios under our arms, to the lecture room of Judge Gould—the last of the Romans, of Common Law Lawyers; the impersonation of its spirit and genius. It was, indeed, in his eyes, the perfection of human reason, by which he measured every principle and rule of action, and almost every sentiment.

"Why, sir, his highest visions of poetry seemed to be in the refinement of special pleadings; and to him a *non sequitur* in logic was an offense deserving, at the least, fine and imprisonment, and a repetition of it, transportation for life. He was an admirable English scholar; every word was pure English, undefiled and every sentence fell from his lips perfectly finished, as clear, transparent and penetrating as light, and every rule and principle as exactly defined and limited as the outline of a building against the sky. From him we obtained clear, well-defined and accurate knowledge of the Common Law, and learned that allegiance to it was the chief duty of man, and the power of enforcing it upon others, his highest attainment. From his lecture

room we passed to that of the venerable Judge Reeve, shaded by an aged elm, fit emblem of himself. He was, indeed, a very venerable man, in character and appearance, his thick gray hair parted and falling in profusion upon his shoulders, his voice only a loud whisper, but distinctly heard by his earnestly attentive pupils.

"He, too, was full of legal learning, but invested the law with all the genial enthusiasm and generous feelings and noble sentiments of a large heart at the age of eighty, and descanted to us with a growing eloquence upon the sacredness and majesty of the law. He was distinguished, sirs, by that appreciation of the gentler sex which never fails to mark the true man, and his teachings of the law in reference to their rights and the domestic relations, had great influence in elevating and refining the sentiments of the young men who were privileged to hear him. As illustrative of his feelings and manner upon this subject, allow me to give a specimen. He was discussing the legal relations of married women; he never called them, however, by so inexpressible a name, but always spoke of them as 'the better half of mankind,' or in some equally just manner. When he came to the axiom that 'a married woman has no will of her own,' this, he said was a maxim of great theoretical importance for the preservation of the sex against the undue influence or coercion of the husband; but although it was an inflexible maxim, in theory, experience taught us that practically it was found that they sometimes had wills of their own—*most happily for us.*

"We left his lecture room, sirs, the very knight errants of the law burning to be the defenders of the right and the avengers of the wrong; and he is no true son of the Litchfield school who has ever forgotten that lesson.

"I propose, sirs, the memories of Judge Reeve and Judge Gould—among the first, if not the first founders of a National Law School in the United States—who have laid one of the corner stones in the foundation of true American patriotism, loyalty to the law." *

**The Bench and Bar of Litchfield County, Connecticut,* 1709-1909. By Dwight C. Kilbourn. Published by the author. Litchfield, Conn., 1909. Pp. 186 *et seq.*

An even earlier description is to be found among the papers of Colonel William Polk, in the Library of Congress, long in the possession of Mr. William Henry Hoyt of New City. It seems that Col. William Polk of Raleigh, N. C., applied to the Hon. Archibald Henderson* of Salisbury, N. C., for information regarding the Litchfield Law School, with reference to having one of his sons study law there. Mr. Henderson's closest friend while he was in Congress (1799-1803) was the Hon. Roger Griswold† of Conn.; indeed he named one of his sons Roger Griswold in affectionate tribute to his friend. The letter given in full below is in answer to one addressed to Mr. Griswold by Mr. Henderson, requesting information concerning the Litchfield Law School:

LYME Feby 1st 1811.

My Dear sir

Your letter of the 13th of Jany & which was received yesterday, gave me very great pleasure, and I wish you cou'd find object sufficiently important to induce you to write me frequently.

The law school at Litchfield about which you inquire, was established by Mr. Reeve, who has been several years a Judge of our Supreme Court—he is a man of the most amiable character—a good general scholar, and a very learned lawyer. It is at this time kept up, by the Judge and Mr. Gould of that place, a Lawyer of very respectable talents, and law learning. The instruction consists principally in a course of lectures, delivered by the judge—when at home, and in his absence by Mr. Gould. They are well digested and explain the elements and general practice of law, in a clear and able manner. The school is generally attended by, from twenty to thirty young Gentlemen who are preparing for the Bar: many of them are from the neighboring and Southern States. The lectures are read two, three, and some times six times in each week, as circumstances require, and varied as new principles arise in the English or our

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*Archibald Henderson was the son of Judge Richard Henderson, a native of Hanover County, Virginia. For an account of his life and career, consult the writer's "A Federalist of the Old School," in *North Carolina Booklet*, July and October, 1917.

†Compare "The Griswold Family of Connecticut with Pedigree": *Magazine of American History*, xi, 310*ff.*

own Courts. The young gentlen obtain rooms—board, lodging &c.—in Town as they find convenient. The school has probably a higher reputation, than any establishment of the kind in New England. In Massachusetts they admit a student from Judge Reeve's school to an examination for admission to the Bar, in the same manner as if he had pursued his studies in that State. And in New York (I understand) they have lately adopted a rule to give a student, who has been with the Judge a year, the benefit of that term in computing the three years, required by their rules, before a student can be examined. As these privileges are not allowed, in those States to students from any other office, I mention the circumstance as furnishing some evidence of the estimation, in which the school is held with them. The young gentlemen also form a Society for extempore speaking. On the whole I have no doubt that a young gentleman who has talents and is attentive to his books, will make a greater improvement with Judge Reeve than he can at any other law school in this part of the Country. But you know that more depends on the talents and industry of the pupil, than on the ability of the Instructor and I shou'd well consider these points before I advised a young gentleman to attend a school, having [so much?] the character of a publick one. But if the son of your friend possesses the proper qualification, and particularly if he has industry, I presume he cannot do better.

Litchfield is not in any respect a place of dissipation—The expense of a young gentleman living there, I cannot state with accuracy —Tuition (I think) $40 pr annum.—board about $2—pr week—room rent and other contingent expenses moderate—My residence is about 70 miles from Litchfield, but if I can render any services to your friend I shall be happy.

The political state of the Country, my dear friend, I hold in utter contempt. The government has absolutely run down, and the machine is now only moved by the momentum which was first given to it. It is now only a contrivance to get & to spend money, and every spark of energy and dignity which we once flattered ourselves wou'd distinguish and support our government has expired. And what is still worse the publick spirit & character is so debased, that nothing short of a political earth quake, can arouse it.

With great affection & perfect sincerity I remain

Your friend & Obed Sernt

R. GRISWOLD.*

(The Honble
Archibald Henderson Esqr
Salisbury
North Carolina.

*For an exact transcript of this letter, I am indebted to Mr. William Henry Hoyt, of New York City, who called my attention to it.

The information contained in this letter evidently satisfied Col. Polk as to the quality of the school, and decided him to send his son there. For the name of his son, Thomas G. Polk "of North Carolina," a graduate of the University of North Carolina in 1809, appears in the catalogue of the Litchfield Law School for 1811. Sketches of Colonel William Polk and General Thomas G. Polk are found in W. H. Polk's *Polk Family and Kinsmen.*

ARCHIBALD HENDERSON.

University of North Carolina,
Chapel Hill,
March 5, 1921.

MEMORIAL FOR AN ESTABLISHED CHURCH.

To the Honorable the Speaker and Gentlemen of the House of Delegates

The memorial of a considerable number of the clergy of the established Church in Virginia—

Setteth forth that your memorialists, having understood that various Petitions have been presented to the Honorable the Assembly, praying the abolition of the established Church in this State, wish to represent that when they took charge of the Parishes in Virginia, they depended on the public Faith, for the receiving of that Recompense for their Services during Life on good Behavior, which the Laws of the Land promised, a Tenure which to them appears of the same sacred nature as that by which every man in the State holds, and has secured to him, his private Property; and that such of them as are not yet Provided for, entered into Holy Orders, expecting to receive the several Emoluments which such Religious Establishment offered; that from the nature of their Education they are precluded from gaining a tolerable subsistence in any other way of Life; and that therefore

they think it would be inconsistent with Justice, either to deprive the present Incumbents of Parishes of any Rights or Profits they hold or enjoy; or to cut off from such as are now in orders, & unbeneficial those Expectations which originated from the Laws of the Land, & which have been the means of disqualifying them from any other Professions or ways of Life.

Also, that though your memorialists are far from favouring Encroachment on the religious rights of any Sect or Denomination of Men, yet they conceive that a religious Establishment in a State is conducive to its Peace and Happiness. They think the opinions of mankind have a very considerable Influence over their Practice; and that it therefore cannot be improper for a Legislative body of a State to consider how such opinions as are most consonant to Reason, & of the best Efficacy in human affairs, may be propagated and supported. They for their part are of opinion that the Doctrines of Christianity have a greater Tendency to produce Virtue amongst men than any human Laws or Institutions: & that these can be best taught & preserved in their Purity in an established Church, which gives Encouragement to men to study, & acquire a competent knowledge of the Scriptures. And they think that if these great Purposes can be answered by a religious establishment, the Hardships which such a Regulation might impress on Individuals, or even Bodies of men, ought not to be considered.

Also, that whilst your Memorialists are fully persuaded of the good Effects of religious Establishments in general, they are more particularly convinced of the Excellency of the religious Establishment which has hitherto subsisted in this State. That they gained their Conviction on the Experience of 150 years, during which Period, order & internal Tranquility, true Piety & Virtue have more prevailed than in most other Parts of the world; & on the mild & tolerating spirit of the Church Establishment, which with all Christian charity & Benevolence has regarded Dissenters of every Denomination, & has shown no Disposition to restrain them in the Exercise of their Religion: That it appears to your Memorialists that the mildness of the Church Establish-

ment has heretofore been acknowledged by those very Dissenters, who now aim at its Ruin, many of whom emigrated from other countries to settle in this from motives we may reasonably suppose of Interest & Happiness.

Also That your Memorialists apprehend many bad consequences from abolishing the Church Establishment. They can not suppose, should all Denominations of Christians be placed upon a Level, that this Equality will continue, or that no attempt will be made by any sect for the Superiority; & they foresee that much Confusion, probably civil commotions will attend the Contest. They also dread the ascendency of that Religion which permits its Professors to threaten Destruction to the Commonwealth, to serve their own private Ends.

Lastly That though the Justice & Expediency of continuing the Church establishment is a matter of which your Memorialists themselves have no doubt, yet they wish That the final Determination of your Honorable House be deferred, till the general Sentiments of the good People of this Commonwealth can be collected, as your Memorialist have the best Reasons to believe that a Majority of them desire to see the Church Establishment continued, and, as the sentiments of the People have been attended to in other Instances, they submit it to your Consideration whether some Regard should not be paid to their sentiments in a matter which so nearby concerns them, as their Religion.

(Endorsed:) Memorial from clergy of the Established Church 1776. Nov 8. Refer[d] to Com: on Religion.

Note.—The original of this copy is in the Archives Department of the State Library.

SITE OF THE UNIVERSITY OF VIRGINIA.

JEFFERSON'S LETTER OF ACCEPTANCE.

(From the Department of Archives, State Library.)

Poplar Forest, July 13, 18.

Sir

I received in due time your Excellency's letter of Mar. 18 covering the appointment with which you were pleased to honor me as one of the Comm^rs^ under the act concerning the University. meaning to accept the trust it did not occur in the moment that I ought to say so, and to prevent any suspense which my silence might occasion in your mind on the subject. the receipt of your second favor of Mar. 20, which after a long absence from home found me here, first brought to my attention the culpable failure in duty which occasioned you the trouble of a second notification. entirely sensible of this inadvertence, I sollicit your Excellency's pardon, with the assurance that it proceeded from absence of reflection solely. my high respect for yourself personally, as well as the sense of a duty omitted, calls for this apology, with an addition of the tardy assurance that I accept the appointment with which you have honored me, and will render under it every service in my power. with my regrets at this incident, be pleased to accept the sincere expressions of my high consideration and esteem.

Th: Jefferson

H. E.
Governor Preston
(Directed on the back:)
His Excellency
Governor Preston
Richmond
(Endorsed:) Albemarle County
Thomas Jefferson Esq
Accepting the app^t^ of Comm^r^ to fix the site of the University.
Rec^d^ July 20, 1818

PETITION OF THE COLLEGE OF WILLIAM AND MARY 1776.

From the State Archives.

As the final result of this petition the College was given all the public lands in and around Williamsburg by act of the Legislature, 1784. (Hening, XI, p. 406.)

Endorsed on the back: College Memorial, 1777, May 28. Ref[d] to Com: upon the State of the Commonwealth.

To the honble the Speaker and Gentlemen of the House of Delegates.

The Rector, Visitors and Governors of the College of William and Mary humbly beg leave to lay before the house this Memorial.

Not to represent to those, who have the power of Relief, the ruinous State of the College Funds, would argue your Memorialists unworthy the Guardianship of Learning. Indeed, they are the more emboldened to make such Representation to the General Assembly, as it affords an occasion, truly glorious to the deputies of a free People, of restoring Literature to its fullest Vigour.

When your Memorialists recur to the Code of Laws, and read the Patronage of the Legislature, so frequently and warmly proclaimed, they trust that the Liberality of the Assembly will be still extended to the necessities of the College. For in the fourth year of Anne an act is found, "laying an Imposition upon Skins and Furs, for the better support of the College of William and Mary in Virginia." In 18 Geo. II, the Duty of threepence upon every exported raw, and sixpence upon every exported tanned Hide, imposed by that Act, is increased to two shillings and sixpence upon the former, and five shillings upon the latter. In 8 Geo. II, Provision is made for the Improvement of the Revenues, arising from skins and furs, and the duty of one penny for every Gallon of Rum, Brandy and other distilled spirits, and of wine,

is appropriated to the use of the College, for the remainder of the Term, to which its Existence had been limited. Subsequent Acts have continued this last mentioned Duty ever since, nor will it expire, till the year 1780. In 32 Geo. II the Collection of the Duty upon Skins and Furs is guarded by various wise Regulations. In 1. Geo. III the Payment of the fees upon Pedlar's licenses is secured. In 3 Geo. III the several acts of Assembly for licensing Peddlars, and preventing Frauds in the Duties upon Skins and Furs are amended.

The Language of these Acts obviously declares that the College, hath been an object of legislative Favours from its earliest Days. In the increase of the Duty on Hides, and the appropriation of that on Liquors, your Memorialists have a precedent, countenancing this address. For these Benevolences having been granted upon a Deficiency of the Funds, they are taught to believe, that in a like case a like Remedy will not be withheld. The zeal too, Caution and Penalties, with which these Duties have been insured, naturally lead them to the General Assembly, as their Resource in this Hour of Difficulty.

From the foundation of the College to this Time, Science hath been attainable at the easiest price. The expences of Education have never injured the most scanty fortune. Thus open to every class of men, would Letters still remain, had the calamities of War left the College Revenues unimpaired. By a review of its Income and Disbursements for ten years past, as Contained in the Account, hereto annexed, the former will appear to amount in Average to £3048.12.7 the latter to £2846.16.6 per annum, making the annual addition of £201.16.1 to the stock. But the late Decrease of £2335.18.7 occasioned by the suspension of the Duties upon skins, furs, Liquors and Tobacco reduces the Revenue to £712.14— per annum. Instead of a proportional Decrease, taking place in the necessary expenses of the College, the exorbitant prices now prevalent have had a contrary Effect. So that the last mentioned sum of £712.14—is the only fund for satisfying the former annual Disbursements of £2846.16.6 now perhaps doubled.

If the Expenditure of the above Balance of £201.16.1 in

favour of the College, as it may have accumulated from its commencement to the time of the Cessation of these Duties, be examined, it will appear, that great part of it hath been lately consumed, and still continues to be consumed in contingent charges. Tho' it must be observed, that this accumulated Balance is somewhat imaginary, as it is calculated upon the supposition of a regular Discharge of Interest accruing upon the Bonds, of which the Instances are few.

To supply this Deficiency, your Memorialists have the alternative of raising the Board of students and scholars, or betaking themselves to voluntary contributions—They would willingly avoid the former measure, as it would eventually preclude all such, as are not born to wealthy Inheritances from the Advantages of the College. It would also thwart the design of the founders, whose object it was, to open the Door of Knowledge to all Persons willing to enter. Your Memorialists intend however, to raise the Board so far, as to make it, when raised equal to the Value of the thirteen pounds formerly paid. Nor is voluntary contribution free from objection, being in this Instance, indecent and impracticable. Indecent, because it wears the appearance of renouncing the protection of the legislature tho uniformily given hitherto and impracticable by reason of the sum, which the present Exigence requires.

Had these necessities arisen from misapplication of the Revenue, your Memorialists would not have now intended upon the Assembly. But they know them to proceed from a different cause. The same Hand, which arrested the American Trade, has stabbed the College Funds.

Perhaps as long as the blood-thirsty sword of Despotism is unsheathed against America it may be embarrassing to devise a mode of supplying the wants of the College. But your Memorialists are persuaded, that an Assembly, selected to promote the general Welfare need not be instructed, that the concealed and varying attacks of Tyranny are not easily detected by Men, unaccustomed to Reflection and unprepared by Study, that this Commonwealth hath, therefore the strongest Inducements to multi-

ply the Avenues to science at almost any price. That the Premises may be taken into Consideration and such a fund established, or other relief granted for the support of the College, as to the Wisdom and Munificence of the General Assembly may serve best, is the earnest prayer of your Memorialists.

(Attached to Memorial *ante*)

THE REVENUES & DISBURSEMENTS of the College of William and Mary stated for the years from 25 March 1766 to 25 March 1776.

Revenues

Duty on Tobacco	(Page 1)
25th March, 1767	£ 970.13.10½
68	822. 8. 5½
69	639.11.10½
70	515.15. 4
71	1211. 8. 2¼
72	1458.19. 6
73	727.14. 7
74	904.17. ½
75	692. 5. 6
76	343. 1. 1½
	£8286.15. 5¾

Communibus annis is abt £828.13.6

Office of Surveyor General	
25th March 1767	£ 133.13. 3½
68	178.14. 4
69	25.10. 2
70	244. 6. 6¼
71	93. 4. 4¼
72	141.14. 7¼

73	376 10½	
74	206.18. 4¾	
75	164. 8. 3	
76	98 . 5	
	1662.10.10½..about..	166. 5. 1
	Car[d] forward	£994.18. 7

(Page 2)

Annual Revenue bro[t] forward £994.18. 7

Surry Rents

25th March 1767.....	£ 163. 2. 0	
68	88. 6. 2	
69	148.17. 7	
70	" " "	
71	373.15. 9¾	
72	130. 0. 0	
73	130. 0. 0	
74	72. 8. 3	
75	80. 6. 0	
76	103.19.11	
	£1290 14. 9¾..about..	129. 1. 6

Interest

25th March 1767	£ 96.13.11½	
68	105 ... ¼	
69	" " "	
70	171.14. 6¾	
71	295.18. 1½	
72	218.15. 2½	
73	225. 1. 9½	
74	252. 1.11½	

75	271. 9. 9	
76	279.18. ½	
	£1916.13. 5..about..	191.13. 4
	Car[d] forward	£1315.13. 5

(Page 3)

Annual Revenues bro[t] forward £1315.13.5

King William Rents

25[th] March 1767.....	£ 62.10. 6	
68	" " "	
69	453.14. 7¾	
70	" " "	
71	313. 7. ¾	
72	143. 6. 6	
73	237. 9. 0	
74	167.11. 9¾	
75	109.13. 6	
76	70. " "	
	£1557.13. ¼..about..	155.15. 3

Duty on Liquors

25[th] March 1768.....	£ 75. 7. 2	
68	1021. 1. 8	
69	1160.12. 9	
70.....	1018. 6. 9	
71	1573. 6. 9	
72	1854. 2.11	
73.	1402. " 10½	
74	1714.18. 3	
75	1326. 7. 6	
76	822. 2. 2	
	£12618.16. 1¼..abt....	1261.17. 7
Car[d] forward		£2733. 6. 3

(Page 4)

Annual Revenue bro[t] forward £2733. 6. 3

Duty on Skins & Furs

25th March	1767	£ 75. 7. 2	
	68	28.12. 9	
	69	609.11. 3	
	70	658.18. 5½	
	71	272. 4. 1¾	
	72	180. 5. 1	
	73	217.11.11½	
	74	179.16.11	
	75	192. 6. 6½	
	76	39. 1. 1½	
		2453.15. 5½	..about.. 245. 7. 6

Pedlar Licenses

25th March	1767	£ 10	
	1770	10	.....nothing since
		£ 20	. . ..2. " "

Nottoway Quarter

25th March	1767	£ 242.13.11¼	
	68	" " "	
	69	" " "	
	70	" " "	
	71	" " "	
	72	" " "	
	73	62. 2. 4	
	74	87.19. 6½	
	75	166.17. 4½	
	76	119.15. 1	
		£679. 8. 3¼	..about.. 67.18.10

Amount of the Annual Revenue on an average of ten years £3048. 12. 7

(Page 5)

Salaries

Disbursements

25th March	1767.....	£ 728. 9. 9½
	68	826. 6. 6¼
	69	1625.10. ¼
	70	1054. 7. "
	71	1360.16. 5½
	72	1564.12. 5
	73	1661. 7 ..
	74	1775. 7. 3
	75	1694.10. 8¾
	76	1582.12. 6

£13873.19. 8¼

Commun^{s} An^{s} ab^{t} £1387. 7.11

Expences

25th March	1767.....	£ 472. 9. 1¼
	68.....	221. 9. 7½
	69.....	691.12. 8
	70.....	455.14. 5
	71.....	798.19. 6½
	72.....	959.17. 6¼
	73.....	792.11. ¼
	74.....	860.14. 8¾
	75.....	2031.14. 8½
	76.....	339. 4. 6

£7624. 7.10.....ab^{t}.. 762. 8.10

Car^{d} forward £2149.16. 9

(Page 6)

Annual Disbursements brot forward £2149.16 9

The Table

25th March	1767.....	£ 463. 5. 8¾	
	68.....	758.12. 6½	
	69.....	574.16. 5½	
	70	556. 5. 3½	
	71	435.10. 2½	
	72	726.16. 8½	
	73	614.13. 8½	
	74	351. 8 ½	
	75	757. 4. 2	
	76	218.18. 9½	
		£6457.12 ¾..abt	645.15. 2

By the Manor of Brafferton the College, losing in some years & gaining in others, has upon the whole sustained in the above period of time a loss of £512.5.9¼....abt 51. 4. 7

Amount of the Annual Disbursements, on an average of 10 years £2846.16. 6

So that the Revenues have exceeded the Disbursements by 201.16. 1 R.an.

3048.12. 7

LIBRARY, ENDOWMENT FUND, AND LANDS OF WILLIAM AND MARY COLLEGE IN 1824.

In 1824 the College of William and Mary petitioned the General Assembly to be permitted to remove from Williamsburg to Richmond. The petition was referred to a committee, which proposed various questions to the College authorities. Among the papers filed in answer and preserved in the State Library is the following:

The Books in the Colledge of Wm & Mary are divided into three Rooms. They are called the old, the new & the Law Libraries. The first, or old Library consists of works belonging to the Colledge. Except in Divinity it is by no means rich. The Institution having been originally intended principally for the Education of Clegymen of the Episcopal Church, particular provision was made for their Instruction.

The scientific part of this Library is not very valuable in consequence of many of the volumes being lost. Even at first, with the exceptions of some few works, it was not, as is believed, of any very great worth. The principal part of the new Library & all the Law Library have been recently added, & consists of approved modern Authors carefully selected. The sum of three or four thousand Dollars has been expended on them, & they are gradually increased, as each student pays the sum of five dollars, which, after deducting the salary of the Librarian, is applied to their augmentation.

The number of Books belonging to the Colledge may amount probably to about three or four thousand volumes. It is impossible to give a very accurate statement of the philosophical and chemical apparatus. The former was purchased in Europe many years ago. Part of it is very valuable, but it is not extensive. The chemical apparatus has been recently purchased & from time to time such additions are made to it as the Professor reports necessary & the funds will afford. All are in a good state of preservation, & enable the Professor to exhibit such a series of experiments & demonstrations that no complaints have been heard of any deficiency.

The productive money capital amounts to about	$110,000
There are yet unsold about 6607 acres of land valued at	18,980
The Brafferton is valued at	1,500
	$130,480

A part of the foregoing is not available at this time, being involved in litigation, & a part possibly may be lost.

Besides the College Building, which is very large, & the Brafferton already mentioned, there is a dwelling house in which the President resides, & sundry out Houses appertaining to the Institution.

There are about 350 acres of land attached to the Colledge not estimated in the valuation given above, as they produce nothing but fuel, & it is not contemplated to sell them. The information required by the latter part of the Resolution must be sort in the Records of the State, those of the Colledge, it is believed, furnishing no clue to it. Some few of the Books of the Library are stamped "The Gift of the General Assembly of Virginia."

THE GREAT FRESHET, 1771.

John Howard's Letter.

Botetourt, Thursday,
June ye 6th 1771

Sir,

I received last night by my Fellow Cato accounts of the dismal Destruction made in James River by the late Fresh; in which I share very deeply; as I understand all my Crop of Tobacco that was growing is ruined as well as all that was in the Tobacco Houses about 6 Hogsheads, together with all my Tobacco Houses except one; are swept away; and 13 Hogsheads that were sent to the Warehouse; or Westham, I suppose are gone; as I hear the water was over both places; my Corn House with the Corn swept away; & some of my stock: and it is owing to the great goodness of God that my People are all alive. This Misfortune I shall feel heavily unless it should please God to incline my few Creditors to have Patience with me till I can rub thro' it; I intend down next week by John Rains to your House; whom I have been with, some Time ago; & was encouraged to think he would be over at your House before now, at least pay up the interest of his Bond; as by his Letter that I send you herewith you will see; but I fear

he has not been over & Paid it, and when I come to your House, I know not with what face I shall appear, as I understand by your Letter to me, that you want what is due on my Bond, also both Principal & Interest. I sincerely commiserate my Fellow Sufferers on James River; and especially Col. Joseph Cabell, whose damage I have been more particularly informed of. The Flood in these Parts did great Damage; nearly proportionable to the size of the water course, tho I fortunately escaped any great damage here; about a fourth part of my Fences were missed; or 8 Panels of my Garden were washed up & moved; but my ground is not very much washed. My corn I have replanted, & it is coming up very well & tho it is late I hope will come; My Damage here will be chiefly repaired in three or four Days more; except my Crop of Corn &c., being put something back ward; I should be glad, I & other People too, could say the same with Regard to our Plantations on James River, & several other Rivers.

I am, Sir, Your obed^{t} hum^{l} Serv^{t}

John Howard.

(Addressed to) "Dr. William Cabell in Amherst."

NOTE.

For an account of the flood of 1771 see *William and Mary College Quarterly*, V., pp. 150, 151, 157. The obelisk mentioned as commemorative at "Turkey Island" has been in recent years carefully repaired, and is now protected by an iron fence. In the version of the inscription given in the *Southern Literary Messenger*, IX., pp. 693, 694, words on a tombstone in a neighboring grave yard are curiously represented as on the east side of the obelisk. In the account in the *William and Mary Quarterly* certain beautiful verses beginning with "Sleep sweetly in this quiet room, &c.," are ascribed to it. Both are errors. There is no inscription whatever on the east side.

SCOTCH BROOM.

Letter of Dr. J. M. Galt.

Dear Sir,

When I was at your house you mentioned your Intention of Cultivating the *pride of China* for *feeding sheep.* This will answer for the winter months very well. It did not occur to me then to recommend to your notice the cultivation of *Scotch Broom,* which affords an ample food for between two or three summer months for sheep and Hogs, it affords an abundance of flowers which those animals devour greedily—it fattens them fast & comes early, & will last til the wild fruits are ripe, such as mulberrys—Blackberries & Hurtle berries—after that the Chinkapin succeeds—this added to the others will give them a Succession of food for Ten months in the year.

I have sent you seed sufficient to plant all your hill sides that you do not mean to cultivate in grain. Its roots are Fibrous; of course they will prevent the Lands from washing—they shou'd be put in directly—planted at five feet distance—four or five seed in each hill & about one inch deep—to prevent their being affected by the rays of the sun—they will lay in the ground for two winters, and sometimes three or four before they Vegetate—when I left England I brought some of the seed that had been gather'd for Twenty-odd years—I planted them as an ornamental flowering shrub in the Garden—they remained in the ground four winters—then Vegetated finely & grew very Luxuriant—the seed now sent I saved from the summer before last—from Mr. Lucas' land in Warwick—it was originally planted as a hedge by an old Englishman—from which it has spread over some hundred of acres of land by the Birds—in England they have a method of Expediting the Vegetation of Broom—Hawthorn and Holly—by mixing the seeds with the feed of their horn'd Cattle & keeping the Cattle up till they have passed the seed—they then sprinkle this over their

Land & plough it in, in the fall Season—in the Spring the seed will vegetate—as this process would be too late for this winter, I wou'd Recommend the mode I first proposed, they require no care after being sown. My best respects await the whole Family. I am Dr Sir

Yours very respectfully
J. M. Galt Dec 9, 1803

(Addressed to)
John H. Cocke Esqr
Mount Pleasant

[Endorsed] Dr. Galt's Letter on the cultivation of Scotch Broom.

NOTE.

This letter is from the State Archives. The writer, Dr. J. M. Galt, was son of Samuel Galt, a covenanter of Londonderry, Ireland, who came to Virginia about 1735, and married Lucy Servant. He was born in 1744, was educated at William and Mary College, and studied medicine at Edinburgh and Paris, 1765-67. In 1774 he was one of the committee of safety for Williamsburg. During the American war he had charge of the sick soldiers in the hospitals in and around Williamsburg. After the war he practiced medicine in Williamsburg and the neighboring counties. He married Judith Craig, daughter of Alexander Craig and Mary Maupin, his wife. He died in 1808 For *Galt Family, see Wm. and Mary Quarterly*, IX., p. 122.

REGISTER OF MARRIAGE BONDS OF GREENSVILLE COUNTY, VIRGINIA, 1781-1808.

Compiled by MRS. DOROTHY HEDGES GOODWYN, Emporia, Va.

Abernathy, Buckner & Huldah Rivers, ———, 178—.
William Rivers, Security.

Abernathy, Jesse & Lydia Bass, 8 Jan., 1801. George Cain, Sec.

Adams, Collin & Frances Nicholson, 16 Dec., 1790. Mary Nicholson, mother, consents. Edwin Adams, Sec.

Adams, Collin & Martha E. Goodrum, 21 Nov., 1803. John Goodrum, Sec.

Adams, Edwin & Olive McLemore, 5 Feb., 1789. John Rogers, Sec.

Adams, Edward & Elizabeth Cooksey, 17 Dec., 1788. John Baptist Cooksay, father, consents. Isaac Adams, Sec.

Adams, Green & Martha Newsom, 23 Feb., 1808. John Goodrum, Sec.

Adams, James & Elizabeth Whittington, 14 Dec., 1807. Ingram Blanks, Sec.

Adams, Jeremiah & Elizabeth E. Grigg, 7 Feb., 1798. Burwell Grigg, father, consents. Richard Mabry, Sec.

Adams, John & Elizabeth Williamson, 28 Dec., 1788. Robert Williamson, father, consents and is Sec.

Adams, Thomas & Annas Griffin, 7 May, 1799. Lucy Griffin, mother, consents. Tarpley Young, Sec.

Adams, William & Elizabeth Clements, 12 April, 1799. Wm. Whitmore, Sec.

Allen, Hamlin & Sylvia Lanier, 22 Dec., 1801. Tabitha Lanier, mother, consents. Littleberry Mangum, Sec.

Allen, John & Fanny Pearson, 11 Jan., 1802, dau. of James Pearson. Samuel L. Bottom, Sec.

Allen, Richard & Mary Wall, 27 Dec., 1792. Achilles Jeffries, Sec.

Allen, Timothy & Lucy Lane Batte, 9 Sept., 1805. Frederick Batte, Sec.

Andleton, Isaac & Nancy Clark, 3 Jan., 1803. Sarah Clark, mother, consents. Edwin Clark, Sec.

Applewhite, Arthur & Patsy Turner, 28 Aug., 1788. Batte Peterson, guardian, consents. James Foster, Sec.

Applewhite, William & Betty Williamson, 24 Oct., 1799. Wm. Lundy, Sec.

Andleton, Thomas & Dolly Coker, 21 Aug., 1802. Robert Roe, Sec.

Andrews, William & Sally Grizzard, 25 Nov., 1785. Peter Pelham, Sec.

Andrews, William, Jr., & Susanna Bass, 20 Dec., 1793. George Cain, Sec.

Artis, Abram & Elizabeth Tabour, 11 Oct., 1788. Judy Tabour, mother, consents. Peter Pelham, Sec.

Atkinson, William Jr., & Martha Cain, 26 March, 1789. George Cain, father, consents. Lockett Mitchell, Sec.

Avent, Henry & Winny Robinson, 13 Dec., 1801. Isaac R. Walton, Jr., Sec.

Avent, Samuel & Janey Woodruff, 18 Nov., 1799. Susanna Woodruff, mother, consents. John Justice, Sec.

Avent, Thomas & Lucy Robinson, 14 Jan., 1805. Henry Avent, Sec.

Atkins, Jesse & Sally Harrison, 7 Oct., 1805. Jesse Butts, Sec.

Avery, William & Clara Hunt, 14 May, 1808. John Hunt, father, consents. Wythe Sims, Sec.

Avery, Richard H. & Martha D. G. Hicks, 12 Dec., 1808. Edmunds Mason, Sec.

Barlow, John & Dolly Wrenn, 25 Dec., 1788. Charles Williams, Sec.

Barlow, William & Dolly Walpole, 5 Feb., 1798. Thomas Whitehorn, Sec.

Barnes, John & Elizabeth Bass, 24 Aug., 1803. Jacob Payne, Sec.

Bass, Allen & Elizabeth Davis, 30 Sept., 1790. Burgess Bass, Sec.

Bass, Burgess & Charlotte Sykes, 28 May, 1791. Benjamin Sykes, father, consents. Richard Crum, Sec.

Bass, Henry & Elizabeth Harrison, 23 Aug., 1787. Sarah Harrison, mother, consents. Henry Wrenn, Sec.

Bass, Simon & Angelina Dupree, 7 Nov., 1803. Robert Fox, Sec.

Bass, Sterling & Elizabeth Dupree, 23 May, 1793. Allen Bass, Sec.

Bass, Zachariah & Mary Cooksey, widow, 26 Dec., 1808. John Rives, Sec.

Batte, Alexander W. & Mary Pettway, 1 Aug., 1803. Washington Goodrich, guardian of the groom, consents. Peyton Harwell, guardian of the bride, consents. Green Mitchell, Sec.

Batte, Frederick & Polly Batte, 24 Sept., 1795. Sarah Batte, mother, consents. Peyton Harwell, Sec.

Batte, Henry & Rebecca Smith, 17 Dec., 1801. John Smith, father, consents. Edmund Loftin, Sec.

Batte, Lewis & Polly H. Hobbs, 17 April, 1808. Sarah Hobbs, mother, consents. James Maclin, Sec.

Batte, William, Jr., & Mary Ann Berryman, 5 May, 1785. John Berryman, father, consents. Balaam Berryman, Sec.

Bennett, Lewis & Betsy Vaughan, 8 Dec., 1806. Patty Vaughan, mother, consents. Joshua Clark, Sec.

Berryman, Jesse & Boyce Jackson, 27 July, 1790. Aaron Brown, Sec.

Bilbro, Berryman & Diana Charles, 16 Aug., 1782. Julius Perry, Sec.

Birdsong, John & Elizabeth M. S. Chambliss, 7 Jan., 1805. William M. Birdsong, Sec.

Blanks, David & Elizabeth Spiceley, 21 Dec. 1785. Carrol Griggs, Sec.

Blanks, David & Ruhamah Sammons, 6 Dec., 1792. Edmund Lawrence, Sec.

Bonner, John & Elizabeth Mabry, 20 Dec., 1799. Richard Mabry, Sec.

Bonner, Williamson & Mary Rivers, 28 May, 1793. Thomas Rivers, Sec.

Binford, James & Nancy Jane Walker, 11 March, 1797. James Walker, father, consents & is Sec.

Boisseau, William & Keziah Goodwyn, 11 Jan., 1808. Esau Goodwyn, Sec.

Bottom, Harwood L. Sally Hynes, 12 Aug., 1805. James McKendree, Sec.

Boykin, Frederick & Elizabeth Bynum, 13 Aug., 1798. Elizabeth Bynum, mother, consents. William Bynum, Sec.

Branscomb, Isaac, son of Thomas, & Elizabeth Harrison, 25 Oct., 1789.

Henry Wrenn, Sec.

Branscomb, Edward & Annie Ingram, 6 Oct., 1791. William Allen, Sec.

Branscomb, Robert & Elizabeth Ingram, 16 Nov., 1795. Joseph Ingram, father, consents. Edward Branscomb, Sec.

Branscomb, Zachariah & Mazey Towns, 6 Nov., 1798. Robert Branscomb, Sec.

Britt, Jesse & Nancy Lucas Parham, 23 Dec. 1784. Lawrence House, Sec.

Britt, Jesse & Ann Davis, widow, 24 Feb., 1786. John Britt, Sec.

Britt, Presly & Mary Womack, 26 May, 1796. William Womack, father, consents. Benjamin Rivers, Sec.

Brown, Beverly & Hannah Parham, 13 Nov., 1785. William Batte, Sec.

Brown, Burwell & Patience Turner, 10 Feb., 1784. Simon Turner, Sr., father, consents. Edmund Gibbons, Sec.

Brown, John, Jr., & Rebecca Dupree, 12 July, 1790. Lewis Dupree, Sec.

Brown, Richardson & Mary Brown, 8 Oct., 1807. John Brown, Jr., Sec.

Bruce, George & Nancy Weaver, 2 Feb., 1805. B. Weaver, father, consents. John Wilkins, Sec.

Butts, James & Sarah Simmons, 21 Feb., 1797. Benjamin Simmons, Sec.

Buckley, John & Boyce Bass, 3 Feb., 1797. Miles Cooksey, Sec.

Brewer, Buckner & Susanna Robinson, 24 Feb., 1803. Landon Wallis, Sec.

Burnett, Douglas & Patsy Branscomb, 6 Jan., 1801. Richard Branscomb, father, consents. Zachariah Branscomb, Sec.

Butts, William & Betsy Hobbs, 20 Sept., 1806. Sarah Hobbs, mother, consents. John Raines, Sec.

Butler, Thomas & Lucretia Mabry, 28 Jan., 1805. Jacob Jordan, Sec.

Butler, William & Nancy Rawlings, 2 Feb., 1793. Isaac Rawlings, father, consents & is Sec.

Bynum, Britton & Jenny Dupree, 8 Aug., 1803. Thomas Dupree, Sec.

Bynum, Sugars & Sally Parham, 27 March, 1789. Turner Bynum, Sec.

Bynum, William & Francis Jefferson Person, 15 Dec., 1794. Mary Person, mother, consents. Thomas Person, Sec.

Cain, John & Selah Mabry, 24 Nov., 1794. Evans Mabry, father, consents. William Atkinson, Jr., Sec.

Cain, John & Jane Hobbs, widow, 30 Oct., 1798. Byrd Lanier, Sec.

Camp, John & Elizabeth Sims, 11 Feb., 1782. Benjamin Wall, Sec.

Camp, John & Elizabeth Gilliam, widow, 13 Jan., 1803. Philip Claiborne, Sec.

Cato, John, Jr., & Temperance Webb, 6 May, 1790. John Webb, father, consents. Michael Vincent, Sec.

Cato, John & Harriett Perry, 25 May, 1797. William Tomlinson, Sec.

Cato, John & Sally Walker, 29 March, 1804. Roland Cato, Sec.

Cato, Harris & Nancy Howard, 24 March, 1808. Thomas Powell, Sec.

Cato, Moss & Nancy Goodrich, 8 Oct., 1806. Mary Goodrich, mother, consents. John Avent, Jr., Sec.

Cato, Robert & Polly Clark, 9 Nov., 1803. Roland Cato, Sec.

Cato, Roland, Jr., & Nancy Vincent, 13 Feb., 1807. Wm. Goodrich, Sec.

Cato, Sterling & Elizabeth Harris, 8 Dec., 1800. Jordon Richardson, Sec.

Chambliss, Mark & Judith Johnson, 27 Feb., 1800. David Johnson, Sec.

Christianberry, Thomas & Rhoda Hayley, widow, 20 Oct., 1802. Randall Rawls, Sec.

Claiborne, Deveraux J. & Sally Jones, 11 July, 1808. Benj. Jones, Sec.

Claiborne, Philip & Sally Sims, 22 Nov., 1795. John Camp, Sec.

Clanton, Jeremiah & Sally Murrell, 12 July, 1798. James Rawlings, Sec.

Clark, Isham & Polly Mitchell, 18 July, 1799. Drewry Mitchell, father, consents. Peter Pelham, Sec.

Clark, Charles & Nancy Clark, 23 Jan., 1800. Elizabeth Clark, mother, & Richard Sills, guardian, consent. Henry Pritchett, Sec.

Clark, George & Mary Reese, 7 Aug., 1786. Joshua Reams, Sec.

Clark, Henry & Polly Clark, 28 Nov., 1799. Sarah Clark, mother, consents. Isaac R. Walton, Sec.

Clark, James & Ann Massey, 13 June, 1793, orphan of John Massey. Benjamin Peebles, Sec.

Clark, John & Nancy Fielding, 12 Sept., 1797. Thomas Fielding, father, consents & is Sec.

Clifton, Cordell & Jennett Turner, 22 May, 1788. Jesse Peterson, guardian, consents. Henry Smith, Sec.

Clifton, Samuel & Elizabeth Harris, 1 Sept., 1790. Wm. Andrews, Sec.

Collier, Charles & Elizabeth Hudson, 12 Nov., 1804. Ingram Blanks, Sec.

Collier, Henry & Mary Shehorn, 17 Dec., 1787. William Moss, Sec.

Collier, John & Lucretia Mitchell, 19 Feb., 1793. Jos. Mitchell, Sec.

Collier, William & Sally Rives, 10 Jan., 1789. Jabez Morris, Sec.

Collier, William & Judith Garner, 24 Oct., 1793. Samuel Garner & Milly Garner, parents, consent. Thomas Garner, Sec.

Collier, Frederick & Priscilla Spence, 4 Jan., 1804. John & Batte Spence, Sec.'s.

Cocke, John W. & Tabitha Ann Wilkins, 28 Aug., 1807. Wm. W. Wilkins, Sec.

Connally, Thomas & Polly Person, 12 March, 1807. Thomas Dupree, Sec.

Cook, Edwin & Winifred Tomlinson, 9 Jan., 1804. James Jordan, Sec.

Cook, Fostor, Jr., & Patty M. Sills, 12 Dec., 1808. John Christian, guardian, consents. Henry Wyche, Sec.

Cooke, John Temperance Philips, 12 Jan., 1792. John Philips, father, consents. Wiliam Eaves, Sec.

Cooksey, John B. & Polly Slate, 14 Dec., 1805. Peter Pelham, Sec.

Cooksey, Miles & Susanna Lanier, 25 Dec., 1793. Thomas Lanier, Sec.

Cooksey, Thomas & Nancy Mason Goodrum, 13 Dec., 1803. Bennett Goodrum, Sec.

Cooksey, Walter & Lucy Bass, 3 Feb., 1797. Miles Cooksey, Sec.

Corn, Robert Brooks & Ginnie Jeffers, 26 March, 1795. Drewry Gowing, Sec.

Cowen, John & Claramond Sammons, 27 Dec., 1798. Edmund Lawrence, Sec.

Crump, Richard & Julia Sykes, 9 April, 1789. William Sykes, Sec.

Dancy, Francis & Hannah Peters, 13 Jan., 1806. Henry Peters, Sec.

Dancy, James & Sarah Rosser, 14 June, 1786. David Rosser, Sec.

Dancy, William & Priscilla Turner, 13 Dec., 1802. Simon Turner, Sr., father, consents. Green Turner, Sec.

Davis, Baxter & Elizabeth Read, 27 Dec., 1790. L. Holt, Sec.

Davis, John & Nancy Smith Whittington, 27 Sept., 1792. Howell Whittington, father, consents. William Davis, Sec.

Davis, Thomas & Nancy Pritchett, 28 Nov., 1799. Hardy Pritchett, Sec.

Davis, Thomas & Amy Rosser, 9 Feb., 1807. John Rosser, Sec.

Davidson, John & Elizabeth Pettway, 7 May, 1798. John Gibbons, Sec.

Dawson, John E. & Annabella Burwell, 16 Sept., 1801. Belfield Starke, Sec.

Day, John & Agnes Sexton, 3 Jan., 1787. Lockett Mitchell, Sec.

Dennison, William & Dionysius Woodlief, 11 Dec., 1807. John Prichard, Sec.

Demerry, John & Rebecca Stewart, 10 Feb., 1806. Frederick Shelton, Sec.

Dominal, John William & Winifred Pritchett, widow, 30 May, 1807.

William Harrison, Sec.

Dunn, James & Elizabeth Woodford, 14 Jan., 1799. Mary Woodford, mother, consents. Henry Wrenn, Sec.

Dupree, Hayley & Elizabeth Garris, widow, 12 Jan., 1782. Daniel Fisher, Sec.

Dupree, Robert & Polly Hines, 4 Aug., 1797. Ann Hines, mother, consents. Drewry Grant, Sec.

Dupree, Thomas & Martha Jeter, 22 April, 1805. Frances Hill, Sec.

Dupree, William & Jannett Cato, 25 June, 1788. John Cato, father consents & is Sec.

Edmunds, Thomas & Martha Dancy, 23 Nov., 1804. Armistead Goodwyn, Sec.

Edwards, William & Sally Ferguson, 6 Oct., 1795. William Ferguson, father, consents. Peter Freeman, Sec.

Edwards, William & Julia Stith, 17 Feb., 1808. John Fisher, Sec.

Elliott, John & Mildred Maclin, 22 Oct., 1788. Thomas Maclin consents. Willis Maclin, Sec.

Ellis, Ira & Mary Mason, 3 Nov., 1795. Peter Pelham, Sec.

Eppes, James & Susanna Grigg, 21 Jan., 1788. Carrol Grigg, Sec.

Eppes, William & Hethy Chapman, 5 Dec., 1804. George Eppes, Sec.

Evans, Henry & Sally Hayes, 21 Sept., 1790. John Goodwyn, Sec.

Evans, Howell & Polly Powell, 30 Aug., 1804. Isham Powell, Sec.

Evans, John & Patsy Rowell, 13 July, 1807. Isaac Rowell, Sec.

Evans, William & Charlotte Cato, 25 Dec., 1786. Daniel Cato, father, consents. Henry Evans, Sec.

Ezell, Michael & Priscilla Rives, 12 Dec., 1787. Benjamin Rives, Sec. father, consents. Edmund Jeter, Sec.

Ezell, William & Betsy Bailey, 14 Sept., 1796. Herbert Hill, Sec.

Faison, William & Martha Hutchings, 12 Jan., 1787. Joel Wilkinson, Sec.

Fennell, William & Sally Fox, 1 Sept., 1800. James M. Walker, Jr., Sec.

Ferguson, William & Ann Clark, 27 Nov., 1788. Henry Williamson, Sec.

Ferguson, William, Jr., & Judith Lanier, 21 Dec., 1802. Zachariah Branscomb, Sec.

Fisher, Bolling & Mary Lucas, 27 Dec., 1798. Thomas Pelham, Sec.

Fisher, John & Lucy Wall, 22 Feb., 1799. Alexander Medill, Sec.

Foster, Christopher & Miranda Jordan, 24 Nov., 1785. Jeremiah Dupree, Sec.

Fox, Thomas A. & Lavinia Smith, 10 Oct., 1803. Isaac Rowell, Sec.

Fox, William & Sarah Walton, 7 Nov., 1798. James Robinson, Sec.

(To be continued.)

RECORDS OF HOLLADAY FAMILY.

Copied and communicated by Mrs. Alice Hume Cook (Mrs. Thomas W. Cook), 111 East Water St., Greensville, Ohio.

The following items have been copied exactly from the Family Bible of Benjamin Holladay who died in Spotsylvania County, Virginia, March 21, 1785, by his great, great, great granddaughter Alice Hume Cooke, wife of Rev. Thomas Worthington Cooke, and a daughter of the late Hon. Frank Hume, of Washington, D. C., and Alexandria County, Virginia.

Benjamin Holladay was a son of John Holladay, Captain of the Spotsylvania County Rangers, who died in 1742. He was appointed an inspector of tobacco at Fredericksburg, and his brother Joseph re-appointed by Gov. Henry, June 19, 1777. This office was held by a Holladay for over fifty years.

The old Bible, and old indentures and letters, are in the possession of Mr. Hume's family. At the death of Benjamin in 1785, the Bible passed to his daughter Nancy Holladay, wife of John Rawlins (Rawlings, Rollins, etc.). They moved to Kentucky, where their son Owen was born in 1796, and where Nancy (Holladay) Rawlins died in 1800. Later John Rawlins moved to Old Franklin, Howard County, Missouri, where he died in 1820. He married his second wife, Miss Emory, in Kentucky. Levi Rawlins seems to have been the only one of John and Nancy Rawlin's children who remained in Virginia, and the Bible was left with him, a child less than ten years of age, who lived with his aunt, Mary (Holladay) Sandidge. His daughter, Sarah Ellen Rawlins, was the next member of the family who came in possession of the previous volume. Her sister, Frances Virginia Rawlins, married Charles Hume, of Culpeper County, Virginia, and moved later with their children to Washington, D. C. Several years before her death Miss Rawlins gave the Bible and the old papers and letters to her nephew, Frank Hume, who was well informed about the ancestry of both his parents. Much informa-

tion and old letters of the Hume family have been published in Historical Magazines from records obtained through Mr. Hume.

John Rawlins, Sr., who moved to Kentucky and later Missouri, having married Nancy Holladay for his first wife, was the grandfather of General John Aaron Rawlins, Gen. Grants' Adjutant General during the Civil War, and later Secretary of War, through his second wife, Miss Jane Bush Emory.

Records from the Family Bible of Benjamin Holladay.

Benjamin Holladay Rawlings a Sun of John Rawlings and 20th Day of Ianuary in the year 1744.

Elizabeth Holladay was Born 3rd Iany 1745/6.

Ioseph Holladay was Born 18th Sept^{r} 1747.

Susannah Holladay was Born 17th March 1748/9.

Agness Holladay was Born 17th December 1750.

Sarah Holladay was Born 29th November 1752.

Mary Holladay was Born 27th April 1755.

Maratha Holladay was Born 31st March 1757.

Beniamin Holladay was Born 22nd March 1759.

Mary Holladay a Daughter of Ben^{n} and Mary his second wife was Born 11th November 1760.

Nansey Holladay was Born 22nd October 1762.

Joseph Holladay & Mrs. Fannie Johnson (torn off) married the 12 of May 1780 By the Rev. (torn off) James (torn off) onson.

Benjamin Holladay a son of Jos. & Fanny (torn off) Holladay was Borne the 7 of May 1781.

Fanny Holladay was Borne the 1 of March 1783.

Thomas Rawlings a Son of Iohn and Nancy Rawlings was Borne the first day of April 1784.

Mary Rawlings was Borne the 13 day of April 1785.

Benjamin Holladay Rawlings a Sun of Iohn Rawlings and Nancy his wife was Borne the 29th of August 1786.

Levi Rawlings was Born the 29th Day of February one thousand Seven hundred and Eighty Eight.

Iohn Rawlings, a Sun of Iohn Rawlings and Nancy his wife was Borne the 22 Day of December in the year of our Lord one thousand Seven hundred and Eighty nine.

Susannah Rawlings was Born the 20th Day of May one thousand Seven hundred and ninety one.

Robert Rawlings was Born the 2nd Day of Iune one thousand Seven hundred and ninty four.

Owen Rawlings was Born in Kentucky 3 of October 1796.

William Holladay Dece^{d} this Life the 16 May 1769.

Iames " (torn) dinton Dece^{d} this Life 24 August 1773.

Iohn Holladay Sen^{r} Dece^{d} this Life the 11^{d} of April 1781 and was Berred on Easter Sunday the 15^{d}.

Ioseph Holladay In^{r} Departed this Life 21st Nov^{r} 1783.

Beniamin Holladay Sen^{r} Departed this Life 21st March 1785

Agness Holladay Departed this Life 10th Nov^{r} 1792.

Susannah Rawlings, departed this Life October 12, 1795 old

Elizabeth Penn Departed this Life 6 Day of March at night 1797 Aged 94 or 95 years————

Nansey Rawlings Departed this Life Jan. 13, 1800.

Sary Oliver who was a Daughter of Ben^{n} Holladay Departed this Life the 2 Day of October 1800.

Mary Holladay the second Wife of Ben^{n} Holladay Departed this Life the 2nd day of Novem^{r} 1807 in the 78 th year of her age————

Levi Rawlings Departed this Life on the 29th day of *October* 1824 in the *37th year of* his age

Austin Sandidge departed this life on Tuesday the 23rd of November 1824 in the 71st year of his age.

Mary Sandidge departed this life on Tuesday the 9th of March 1830 in the 71st year of her age.

Learkin Sandidge Departed this Life the 25th Day of August 1791 in the 33rd year of his age.

Torn off { didge Iun[r] Departed this Life the
aged 41 years
ge Snr Departed this Life the 10th
aged about 76 years———
ge Departed this Life the Day of
29 in the 75 year

Levi Rawlings and Eliza Hansbrough were married the 29th of May 1817

Mary Ann Daughter of Levi Rawlings and Eliza his wife was born the 9th of March 1818. Died Sunday, October 30th 1881.

Frances Virginia Rawlings was born the 14th of November 1819. Died March 23rd 1883.

Nancy Holladay Rawlings was born the 18th of May 1822

Sarah Ellen Rawlings was born the 7th of June 1823

Iohn I. Rickard and Eliza Rawlings were married on Thursday May 14th 1833 By Rev[d] Mr. Lamon———

Helen Catherine, Daughter of I. I. & Eliza Rhickard was born on Wednesday night Aug. 17, 1837

Eliza Hansbrough (Rawlins) Rickard died at Stevensburg, Va., 26th of December 1872 aged 74 years, wife of John J. Rickard.

Helen Catherine Rickard daughter of the late John J. & Eliza Richard died Sunday January 1st 1905 at Stevensburg, Va. in the 69 year of her age.

Sarah Ellen Rawlins daughter of the late

Levi Rawlins and Eliza his wife, died Tuesday, February 1905 in the 82nd year of her age.

Charles Hume & Frances Virginia Rawlings were married on Tuesday 21st Iune 1836

Wm Parker & Mary Ann Rawlings were married on 24 January 1838.

George Lee Waugh & Nancy H. Rawlings were married on 19 September 1839.

George Lee Waugh Died October —— 1881.

Mrs. Sally Norman Departed this Life on Wednesday morning Feby 18th 1836 in the 91st year of her age.

Copies of two old Indentures. Made by members of the Rawlins family, also in possession of Mr. Frank Hume's family.

Know all men by these presence that we Thomas Rawlings John Rawlings & Owen Rawlings heirs and legal representatives of Nancy Rawlings, and each one of us of the County of Clark and State of Kentucky—do bargain and sell and relinquish unto Levi Rawlings now of the county and state afore^{sd} all the right title and interest that we, and each of us have in and to one certain Negro Woman Call^{d} and known by the name of Cate, and her children that is now in the possession of Iohn Scott* of Spotsylvania County in the state of Virginia sd. Negro woman being Willed to s^{d} Scott for and during his natural lifetime by the last will and testament of Mary Holladay and at his said Scott's Death to Descend to the children of the s^{d} Nancy Rawlings for the consideration of sixty dollars paid to us each one of us by the s^{d} Levi Rawlings making in the whole one hundred and Eighty Dollars and be it further remembered and made known that we the above named Thomas Rawlings Iohn Rawlings & Owen Rawlings do by these presents authorize the sd. Levi Rawlings to sue recover and receive the legal Interest that each one of us have in and to the afore s^{d} Negroes the same as if we were personally present ourselves we might or lawfully could do in and concerning the same in witness where of we and each one of us have hereunto set our hands and seals this 16th Day of September in the year 1814

Test
Iohn Rawlings Senr
Jame Thomas
Lucy Embree
William stone
Ambrose Embree

Thomas Rawlin(gs)
John W. Rawli(ngs)
Owen Rawlin(gs)

---

*John Scott was a son of Mary Holladay by her first husband Isaac Scott, who died in Spotsylvania Co., Virginia, in 1757.

For a valuable consideration paid me by Levi Rawlins I do truly transfer and make over unto the said Levy Rawlins all my right title and interest in a legacy left by Mary Holladay deceased late of Spotsylvania County in the State of Virginia which legacy was devised by the said Mary Holladay to John Scott of said county during his natural life and the said Levy Rawlins to run all risque in said claim as it is understood that I only sell to said Levy Rawlins my interest in said legacy without any recores to me and in case the said Levy Rawlins is unable to obtain said legacy or any part there of I am to be in nowise accountable fore such falure. Given under our hands and seal this the 12 day of December 1814

Test. (torn off)

John Rawlins
(Seal)

In a letter written June 25, 1822 by Owen Rawlings to Austin Sandidge and his wife Mary (Holladay) Sandidge the sister of his mother Nancy (Holladay) Rawlings, he says among other things:

"I want to see my Dear aunt (Mrs. Sandidge) in this world . . . as I cant have any recollection of my mother who now lays in Kentucky and my father (John Rawlings Senr) on the bluffs of Missouri . . . I have a wife and one son. I call his name John after father. My oldest son Died last summer."

SOME DESCENDANTS OF LIEUTENANTS WILLIAM BLACKBURN.

Compiled by Annie Noble Sims, Savannah, Ga.

In the Land Office at Richmond, Virginia, in Book H, page 594, it is recorded that A. D. 1755 Lord Fairfax made a Grant of land to "Arthur, George and William Blackburn of Fairfax county, Virginia". The land granted them was in Frederick county, Virginia, "on Mulberry Run."

These three brothers at a much later date removed to what is now Washington county, Virginia, see pages 619, 809 and 813 of "History of Southwest Virginia," by Lewis Preston Summers. Scores of references in "Southwest Virginia" show that these men were prominent in the political, religious and social life of Washington county.

That "Arthur, George and William Blackburn" were brothers is stated in the Will of George Blackburn, recorded August 18th, 1778 at Abingdon, Washington county, Virginia, in Will Book 1, page 13.

Their relationship is also stated in the Will of Arthur Blackburn, recorded August 20th, 1782 at Abingdon, Washington county, Virginia, in Will Book 1, page 82.

In both Wills two sisters are also mentioned; Margaret (Blackburn) Casey, wife of William Casey and Mary (Blackburn) White.

Lieutenant William Blackburn of Washington county, Virginia, was killed in the Battle of King's Mountain, October 7th, 1780, see page 304 in "King's Mountain and Its Heroes," by Lyman C. Draper.

The widow of Lieutenant William Blackburn, Elizabeth (Black) Blackburn, her brother, Capt. Joseph Black, and John Blackburn were granted letters of administration on the estate of Lieutenant William Blackburn, November 24th, 1780, they to-

gether with Samuel Newell and John Davis gave bond in the sum of eight thousand pounds, see Court Minutes of Washington county, Book I, page 97, at Abingdon.

The final settlement of the estate of Lieutenant William Blackburn did not take place until December 20th, 1796, see Will Book 2, page 105, Abingdon, Virginia. This settlement is very important, because not only were Lieutenant William Blackburn's daughters mentioned, but the names of their husbands were given also.

The heirs mentioned in this final settlement were as follows:

"A daughter, Mary Blackburn, who had married Samuel Vance.

A daughter, Jean Blackburn, who had married Joseph Cusick.

A daughter, Elizabeth Blackburn, who had married John Lusk.

A daughter, Margaret Blackburn, who had married David Evans.

Two daughters, Patsey and Sally Blackburn (evidently unmarried at this time) and the widow Mrs. Elizabeth Blackburn".

The authority for the statement that Elizabeth Blackburn wife of Lieutenant William Blackburn was the sister of Captain Joseph Black is to be found on pages 221 and 223 of Rev. Samuel Rutherford Houston's "Genealogy of the Houston Family", published by the Elm Street Printing Company, Cincinnati, Ohio, 1882.

Abingdon, Virginia was originally called "Black's Fort", in honor of Captain Joseph Black, see pages 136, 268 and 269 of "History of Southwest Virginia," by Lewis Preston Summers.

Joseph Cusick and his wife (Jean (Blackburn) Cusick were buried in the "Old Presbyterian Cemetery" (now called the "New Providence Cemetery") near Sanford, in Edgar county, Illinois. From the handsome monuments which marks their graves, and from a very old Cusick Bible (now in the possession of Mr. Macklin Bandy of Columbia, Missouri) the following information was obtained.

Joseph Cusick was born February 19th, 1772, died October 15th, 1854.

Jean Blackburn, wife of Joseph Cusick was born September 28th, 1771, she died September 1st, 1838.

Some time after the Revolution Joseph Cusick and his wife Jean (Blackburn) Cusick moved to Blount county, Tennessee where they resided for many years before their removal to Edgar county, Illinois. That the Cusick family was prominent here is shown by the fact that the principal street of Maryville, (the county seat of Blount county) is still called Cusick Street. It was in Blount county, Tennessee, that their daughter Marietta Cusick was born September 26th, 1800. The other children of Joseph Cusick and his wife Jean (Blackburn) Cusick, were Joseph Blackburn Cusick, Martha Cusick, David Cusick, Jane Cusick, John Black Cusick and Samuel Newell Cusick.

On September 21st, 1819, in Blount county, Tennessee, Marietta Cusick, daughter of Joseph Cusick and his wife Jean (Blackburn) Cusick, was married to William Gray Simms.

William Gray Simms, born February 10th, 1795, was the son of James Simms of Virginia, a Revolutionary soldier. For record of James Simms' Revolutionary services see Department of the Interior, Bureau of Pensions, Washington, D. C., M. B. H. Revolutionary War S. F. 4840. The first enlistment of James Simms was in Frederick county, Virginia, his second enlistment was at Abingdon, Washington county, Virginia. He was in the infantry, and his Captains were Captain Sutton, later Captain Joseph Black and Captain Samuel Newell. His Colonels were Evan Shelby, Arthur Campbell and William Campbell. James Simms fought in the battle of King's Mountain. His pension papers furnish most of the information we have about him.

From various court and family records it seems certain that the parents of the Revolutionary soldier James Simms were James and Sarah Simms, and that they removed to Pittsylvania County, Virginia. The Will of James Simms mentioning "wife Sarah and sons", was recorded in Pittsylvania County, Virginia in 1773. The land willed his sons lay in that part of Pittsylvania which by subdivision in 1776 became Henry County, Virginia. In Henry County, Virginia on February 15th, 1783 we find a record of the marriage of James Simms and Elizabeth Simms (probably cousins?). As mentioned later in this article, James Simms (wife

Elizabeth) in 1800 bought land in Lee County, Virginia. Lee, like Henry, was one of the border counties of Virginia, and the two counties were not far separated.

James Simms was born in Frederick county, Virginia in 1750, and died in Blount county, Tennessee, in 1836. The latter part of his life was spent in Blount county, Tennessee, and it was there that he received his pension. For more than twenty years he was an Elder in the Presbyterian Church at Eusebia, in Blount county, Tennessee. The Eusebia Church Records are still in existence and contain many references to James Simms.

The Court Records at Maryville, Blount county, Tennessee, give us some data concerning him, for in the first deed made to him in Blount county (in 1812) he is called "James Simms of Lee county, Virginia". Lee county was a part of Washington county, Virginia, until long after the Revolution. The records at Jonesville, Lee county, Virginia, show that in 1812 James Simms sold his lands in that county and that his wife, Elizabeth, joined in the transfer, see Deed Book 2, page 461, Jonesville. This deed shows that his land in Lee county was on "Wallin's Creek, the waters of Powells River", and that he had purchased this property in 1800. James Simms was the father of five children, John Simms, Margaret Simms, Catharine Simms, William Simms (born February 10th, 1795) and Vance Simms. William Gray Simms, notwithstanding his youth, was a soldier in the War of 1812.

A mention of the services of William Gray Simms in the War of 1812 is made on his tombstone in the New Providence Cemetery (Old Presbyterian Cemetery) near Sanford, Edgar county, Illinois. He was in the Cavalry. See records in the Pension Office, at Washington, D. C., Department of the Interior M. B. H. 34605, which show that the widow of William Gray Simms (his second wife) received a pension for his services in the War of 1812. See also Department of the Interior, General Land Office, Washington, D. C., No. 3626, which shows that William Gray Simms received a "Bounty Warrant for land" in recognition of his services in the War of 1812.

Wiliam Gray Simms and his wife Marietta (Cusick) Simms were the parents of twelve children. Of these ten were born in Blount county, Tennessee, namely; James W. Simms, Joseph C. Simms, Martha J. Simms, Catharine Simms, Elizabeth Black Simms, Margaret E. Simms, Sarah A. Simms, William Blackburn Simms, John B. Simms, and David M. Simms. Two more children were born to William Gray Simms and his wife Marietta (Cusick) Simms after their removal to Edgar county, Illinois in 1840, these were Mary Ellen Simms, and Samuel Newell Simms. Marietta (Cusick) Simms, wife of William Gray Simms, died August 23rd, 1845. William Gray Simms had no children by his second marriage in 1850.

William Gray Simms, born February 10th, 1795, died December 8th, 1867, aged 72.

William Gray Simms, and his father, James Simms, used two m's in spelling their surname, and William Gray Simms is said to have objected most strenuously when his son, Dr. William Blackburn Sims, dropped the second m in spelling his name and wrote it S-i-m-s, but this abbreviated spelling has been followed by all his descendants.

Dr. William Blackburn Sims, son of William Gray Simms and his wife Marietta (Cusick) Simms, was born April 14th, 1835 in Blount county, Tennessee. "He received his medical education at the Louisville Medical College, Louisville, Kentucky, and at Rush Medical College, Chicago, Illinois. At the beginning of the Civil War he volunteered and was at first member of the 14th Illinois Cavalry, later he received a commission. In 1864 he was transferred to the hospital service, and had charge of three hospitals in Natchez, Mississippi, from this time until the close of the War." See "History of Champaigne county, Illinois", which contains a Biography of Dr. William Blackburn Sims, which states that he "practiced his profession in Champaigne county and that he was widely and favorably known here as one of the leading men in the medical profession".

Dr. Sims moved to Champaigne county in 1870.

On March 8th, 1855, Dr. William Blackburn Sims married Sarah Jane Medley, in Vigo county, Indiana.

Sarah Jane (Medley) Sims, (born January 4th, 1832 in Knox county, Indiana, died March 20th, 1895) was the daughter of Joseph Medley and his wife Rachel (Stewart) Medley, of Knox county, Indiana.

Dr. William Blackburn Sims died December 24th, 1912, in Champaigne county, Illinois.

Dr. William Blackburn Sims and his wife Sarah Jane (Medley) Sims were the parents of a large family, one of their children was Charles Blackburn Sims.

Charles Blackburn Sims married Annabel Noble Sims (daughter of William Irvin Sims and Annie (Noble) Sims) in St. Louis, Missouri, May 28th, 1913.

WILLIAM POWELL.

Capt. William Powell came to Virginia with Gates in 1610, was commander of the fort at Jamestown, and was one of the first two representatives for James City Corporation in the General Assembly, 1619. He repelled the Indians when they attacked Jamestown in 1622. He afterward led an expedition against the Chickahominies, and was probably killed by them between January 20 and January 24, 1623. His widow married Edward Blaney. The family seems to have come from Southwark in the County of Surry, England.

The following notes are from the records of Surry County, Virginia. Southwark Parish in that County, and the County itself, appears to have obtained their names from Capt. Powell.

Notes from the Records of Surry County, Virginia, contributed by Mrs. Augusta B. Fothergill, Richmond, Va.

Surry Co. Vol. 1—P- 46. 7 Mar., 1654.

Richd Marydale for Wm Powell, of the Parish of St. Marye Oneryes alias St. Saviors, neere the Borough of Southwarke, in the County

of Surry, Baker, Brother & heir to Capt. Wm. Powell, Geo. Powell of this Collonye & his nephew Richd Powell, Marye Powell, dt of the sd Richd, of same, maketh claime to the plantation, now in occupation of Jno Bishopp, neere Crouches Creeke in Surry Co, & all lands or other property which were (of) the sd. Capt. Wm. Powell, Geo. Richd & Marye Powell, at the time of their, or any of their deccase.

V. 1—P. 82. 1 July, 1656.

Wm. Powell, of Southwarke Par., Surry Co., in England, baker, admr, of est. of Capt. Wm. Powell, late of Chippoakes in Col. of Va. his natural bro. decd. & heire unto Geo. Powell, natural son of late Capt. Wm. Powell, Wm. Parker & W. Anne of Leadenhall St., London, Cheesemonger. Sold to Wm. Batte, of Chippoakes, Gent. 800 a. in Surry, Va., Ann W. of Wm. Parker gr. dt. of sd Capt. Wm. Powell, land on Lower Chippoakes Cr. on Jas. R., bet. Chippoakes Cr. & Sunken Marsh, near Crouches Cr., Pat. by Wm. Powell.

V. I. P. 87. 6 Jan., 1656. Wm. Martin, of Lower Chippoakes, Surry Co., Va., Gent., Atty. of Coll. Henry Bishopp, now dwelling in Eng. to John Gore, of Bristoll in Eng.—700 acres called Lower Chippoakes, part of pat. of Coll. Wm. Powell & afterward granted to Sir Wm. Berkley 27 Nov. 1643 & then pur by sd. Coll. Bishopp of said Berkeley & confirmed to sd. Bishopp by patent 28,8 ber, 1646. Bounded Northerly upon James River, Easterly upon Chippoakes Cr., Westerly upon Sunken Marsh, Southerly upon the Maine land. Delivered by turf & twigge, & also possession of the house the said Wm Martin lived in unto Jno. Jennings, atty of Jno Gore, mercht, for use of said Gore. Witn: Kirby Kiggan, Will Cockerham. David (X) Williams, Daniel Bridgman, Wm. Calloway.

Surry Co. 2 May, 1654.

Mary Powell died at age of 15 years, Dt of Richd Powell

V. 1—P. 185. 18 Feb. 1642. Geo. Powell, of Lower Chipoakes in Co. of James Citty, of Va., Gent. to Stephen Webb, of said Lower Chippoakes, Planter for £40—300 acres lying in Lower Chippoakes, called by the natives Pettitake Creeke, & James R. adaj. Mr. Geo. Powells land. Unto said Stephen Webb for the time & term of 3 lives (that is to say) for the term of the life of the sd. Stephen & Dame Clare his wife & Robert Webb eldest sonne of sd Stephen Webb & Dame Clare & the survivors of them, paying yearly to sd Geo. Powell one Capon upon the feast day of St. Thomas the Apostle, if the same be lawfully demanded. Sd. Stephen Webb to erect at his own proper charges one house 45 ft in length & 20 ft in breadth with 2 chimneys & glass windows & cellar adaj. 15 ft. sq—to be ground settled & underpinned with brick, to plant 1 a with fruit trees (apples, pears, cherries, apricots, figs & peach trees) with garden adj.

It is to be noted that Captain William Powell had a brother of the same name and that his son and heir was George Powell, who died without issue. The word "natural" had in these days no sinister meaning, and it often occurs in connection with lawful, e. g., his "lawful and natural brother," as opposed to brother-in-law.

YORK COUNTY RECORDS.

SOME WILL AND OTHER RECORDS.

(Continued from page 206.)

James Shields. Will proved July 17, 1727. Names wife Hannah, sons James, Matthew and William, and daughters Elizabeth Cobbs and Mary Vaughan.

Sarah Pegram. Will proved June 19, 1727. Names five children Mary, Sarah, Daniel, George and Edward, husband formerly Daniel Pegram.

William Markham paid by the executors of John Bates for schooling his son Isaac Bates £3.10. Anno 1723.

John Daniel. Will proved May 18, 1724. Leaves legacies to sons John, William and James; daughters Sarah Barksdale and Hannah Daniel; sister Elizabeth Crutchfield. Has land in Hanover Co.

Henry Gill. Inventory, 1721. Mentions 3 pictures, 2 cases of knives and forks six in each; a mill to grind bark with & furniture thereto attached.

Rev. Samuel Barnard (of York Hampton Parish). Will dated 14 Nov. 1720. Gives all his estate to his wife Martha.

William Hansford, of the County of Spotsylvania, parish of St George sells to Charles Hansford of York a tract of land at the head of Felgate's Creek, given to said William by his father, Mr. Charles Hansford, deceased, by his will. July 25, 1727.

James Parsons, of the Parish of Charles, and Dorothy Parsons, his wife, doth grant to their son James Parsons, Jun. that

plantation of 41 acres descended to us from our father Armiger Wade. 16 Sept., 1719.

Joseph Ring sells to Joseph Walker the French Ordinary 40 acres on the road that leads into Merchant's (Martin's) Hundred 4. May, 1717.

Joseph Walker, of York Hampton Parish in Ye County of York, merchant, from Samuel Hyde of Bruton Parish, son of Robert Hyde and Jane his wife, daughter and heir of Capt Jno. Underhill. Nov 4, 1717.

Release from William Jones to Richard Easter (1714.) and Ralph Graves to William Jones (1714.) conveying land adjoining Major John Custis' line in Bruton Parish. These deeds mention the church and the school house in Marston parish (near Magruder), where the Indians had a field.

Edward Dyer. Will proved June 15, 1719. Names sons William, Robert and Henry Dyer, and daus Molly Dyer and Sarah Rhodes.

Action of debt by John Scarsbrick, of Liverpool, mariner, vs. Edward Powers for £22.3.7.

Proclamation of A. Spotswood, disannulling the act of 1663 prohibiting the unlawful assembling of Quakers, and another act entitled an act concerning foreign debts. Dated 14 May, 1718.

Capt. Thomas Nutting. Inventory, (1718) sworn before Mr. Thomas Roberts & Division thereof. Item, to Madam Nutting as followeth £102.19.6 Item to Mr. Wm Sheldon £102.19.6 Item to Mrs. Jane Nutting £102.19.6, Mr. Richard Slater's children £102.19.6

Power of Attorney from Sarah Handford, of ye parish of St. Margaret's Westminster in the County of Middlesex (England) wido, exec^{rx} of Jno Hanford, late of London, merch^{t} deced, to Jno. Robinson, of Virg^{a} gent, regarding 200 acres in St. Mary's parish in Rappahannock river in Virg^{a}, sold by one Robert Payne of said Paish to said Jn^{o} Handford. Dated March 1, 1714, proved 16 May, 1715.

Francis Sharpe remanded to the public gaol for the murder of John Marot, Nov. 18, 1717. Witnesses against Sharpe, Robert

Innis, George Hughes, Dr John Harris, Benjamin Waller, Dr John Brown, John Hughes.

John Marot, of Williamsburgh, in the County of York. Will proved Dec 16, 1717, made August 31, 1717 He leaves legacies to his wife and three daughters Edith, Ann and Rachel (Edith married Samuel Cobbs, Anne married James Inglis and, secondly, James Shields, and Rachel married Richard Booker.)

Inventory of Major William Buckner, a large personal estate valued at £1000

Will of Robert Harris, of York Hampton Parish, dated June 27, 1712, proved Nov. 19, 1716. Leaves legacies to his sons Robert, John and Matthew Harris, and his wife Anne Harris and her two sons George and Stephen Fuller.

Robert Curtis, of Charles Parish and York County. Will dated Augt 11, 1713; proved May 21, 1716. Names children Edmund, Thomas, Sarah, Jane Trevilian, Katherine Corley, and Elizabeth Evans, grandsons Robert Curtis and John Corley. Has property both in Virginia and England. Makes Capt. Lawrence Smith, Thos. Nelson, Thos. Chisman, jun., Jno. Chisman overseers of the will.

William Buckner, of Yorktown, will proved May 21, 1716. Witnesses: Rich'd Buckner, Lawr. Smith, Arthur Tillyard, John Marshall. To be buried by his wife "if I dye in or near Yorktown." To son William he gives all his land and houses in Yorktown and his land in the other side of the creek where my plantation now is, and my land in Essex Co. given to me by my father adjoining my brother Richard; to son John all his land in Stafford County. Mentions daughters but does not name them. Makes his brothers John Buckner, Richard Buckner and Thomas Buckner and his friends Colo. Miles Cary and Mr. Robert Reade executors.

Henry Tyler sworn sheriff, and gives bond May 21, 1716, and Francis Tyler and John Gibbons, having taken the usual oaths to his Majesty and subscribed the test were sworn undersheriffs for this county (same date), Richard Slater, county surveyor.

Robert Armistead, of the County of Elizabeth City. Bond as agent of the storehouse at Charles River, with Thomas Booth of

the County of York and Samuel Pond of the County of James City securities. 20 February, 1715.

Scipio, an Indian boy, was brought to the bar and judged to be 11 years of age. 21 May, 1716.

Justices of York County Feb. 15, 1713: William Buckner, William Barbar, Henry Tyler, Joseph Walker, William Timson, Lawrence Smith & Thomas Nelson, gentlemen.

The Governor's Proclamation about the public storehouses, Januy 18, 1713.

BURTON MEMORANDUM.

In Quarterly for October, 1921, there was published an old *Memorandum,* which threw light upon the beginnings of the Burton family in Virginia. In the brief additional statement made by the editor a mistake was committed in stating the ancestry of Col. Robert Burton of the American Revolution. In that article it was said that Col. Burton was a son of Robert Burton and Priscilla, his wife, of Goochland County, which is a mistake. He was son of Hutchins Burton, of Mecklenburg County and Tabitha Minge, his wife.

As appears from the memorandum William Hunt married Tabitha. This is confirmed by a deed recorded in Surry County and dated April 1, 1714, wherein William Hunt and Tabitha his wife, of Charles City County, conveyed land on the Nottoway river to William Hamlin. Then the same memorandum shows that they had two daughters, Mary, who was born May 15, 1695, and married Robert Minge, and another daughter, who married John Macon.

Robert Minge and Mary Hunt, his wife, had two daughters, Tabitha and Martha, of whom the first, Tabitha, married Hutchins Burton and the second, Martha, married George Baskerville.

Hutchins Burton, as appears also from the memorandum, was son of Noel Burton and Judith Allen, his wife, and accord-

ingly we find Noel Burton's will proved in Mecklenburg County Oct. 13, 1766, and dated July 31, 1766. It names sons (1) Hutchins, to whom he gives 800 acres on Banister River in Halifax County, "then in possession of John Burton of Cumberland County." (2) John, (3) Josiah, (4) Robert (5) Benjamin and (6) Allen Burton.

Of these Hutchins Burton, who married Tabitha Minge, died between July 31, 1766, the date of his father Noel's will, wherein he is mentioned, and Feb. 9, 1767, when in Order Book, No. 1, at Boydton Mecklenburg County, it is stated that "Hutchin(g)s Burton having obtained attachment against the estate of Sherwood Bugg, suit abated by plaintiff's death." He left issue according to the memorandum, John, Hutchin(g)s, Noel, Robert and James Minge and two daughters, Martha and Mary.

This list is confirmed by another old paper, written by Alfred Moore Burton, son of Col. Robert Burton, which reads as follows:

"Noel Hunt Burton,
his son, Hutchins Burton, Mecklenburg County, Va.
married to Tabitha Minge; their children.
John Burton married to Mary Gordon
Martha " " " John Baskerville
Robert (Col.) " " " Agatha Williams
Mary " " " Benjamin Forrel

Hutchins
Noel } Killed at battle of Princeton

James Minge married to Elizabeth Ridley."

Of these children Hutchins and Noel (or Nowel Hunt) were killed at the Battle of Princeton. The will of the former (Hutchins), dated January 26, 1776, proved January 12, 1778, leaves his estate to his brothers Nowel Hunt Burton and James Minge Burton, to be equally divided between them. John Burton and Robert Burton were named as executors, and the will was witnessed by George Baskerville, Martha Baskerville, John Baskerville, and Allen Burton.

A third son, said Col. Robert Burton (who married Agatha Williams), born in Virginia October 20th, 1747; died in Granville Co., N. C., May 31st, 1825, was 2nd Lieutenant First Continental Artillery in Revolutionary War; afterwards Quarter-Master General of North Carolina with rank of Colonel. (See Heitman's Register of Officers of the Continental Army—1893 edition—p. 110; and State Records of North Carolina, Vol. XVI, pp. 262, 263.)

"He was a member of the Continental Congress in 1787 and 1788. In 1801 he was appointed one of the Commissioners to run the line between North Carolina, South Carolina and Georgia. He married the only child of Judge John Williams in 1775." (See Wheeler's Historical Sketches of North Carolina, Vol. II, p. 163.)

The following was copied from the family Bible of said Col. Robert Burton by his great-granddaughter, Mrs. A. L. Smith, of Charlotte, North Carolina:

From the Bible of Col. Robert Burton.

Births.

Robert Burton son of Hutchins Burton, born Oct 20th 1747
Agatha Williams daughter of John Williams " Oct 6th 1757

(Their children)

John Wms Burton born July 23rd 1776, Sunday 53 minutes before 1 o'clock A. M.
Hutchings Burton born Dec 9th 1777 Monday
Frank N. W. Burton born May 2nd 1779
Robert H. Burton " July 22nd 1781
Agnes Burton " April 11th 1783
Alfred M Burton " Sept 9th 1785
James M. Burton " Dec 31st 1786
Augustus Burton " Mar 31st 1789
Horace A Burton " Feb 25th 1791
Fanny H Burton " July 1st 1793
Eliza W. Burton " Oct 1st 1795
John Wms Burton " Oct 31st 1798

Robert H. Burton son of James Burton & Prudence his wife born Mar 3rd 1811

Robert Augustus Burton son of Alfred M. Burton & Elizabeth his wife born May 15th 1812

Elizabeth Williams Burton daughter of Alfred M. Burton & Elizabeth his wife Nov 1st 1813

John Fullenwider son of Robert H & Polly his wife, April 1814

Mary Murfree Burton daughter of Frank N. W. Burton & Lavinia his wife, born Jan. 17th at 12 o'clock 1815

Francis Eliza Burton daughter of F. N. W. Burton & Lavinia his wife Sept 8th 1816 3 o'clock in the afternoon

Deaths

John Wms Burton son of Robt & Agatha Burton departed this life Sept 16th 1793

Agnes Burton daughter of Robt & Agatha Burton departed this life Oct 16th 1796

Hutchings Burton son of Robt & Agatha Burton departed this life Mar 20th 1811

Robt Burton departed this life May 31st 1825

Augustus Burton son of Robt & Agatha Burton departed this life April 15th 1828.

Agatha Burton died January 31st A. D. 1831

Marriages

Robert Burton & Agatha Williams married Oct 12th 1775

Their son James M. Burton married to Prudence Robards daughter of James Robards Esq & Mary his wife July 12th 1809

Alfred M. Burton married Elizabeth Fullenwider, daughter of John Fullenwider & Elizabeth his wife June 4th 1811

James Burton married second time to Martha Johnson daughter of James Johnson & Jane his wife July 18th 1812

Robert H. Burton married to Polly Fullenwider sister of Alfred M. Burton's wife May 11th 1813

Frank N. W. Burton & Lavinia B. Murfree daughter of Coes Hardy Murfree & Sally his wife married Feb 23rd 1814

James M. Burton married 3rd time to Catherine Love daughter of Edward & Lucy Love August 1817

James M Burton married 4th time to Martha Gilbert June 22nd 1824

John W. Burton married to Susan P. Lyne daughter of Henry & Lucy Lyne Sept 22nd 1819.

Horace A. Burton married to Margaret Williams daughter of William & Elizabeth Williams June 2nd 1825

For convenience, the *Memorandum* referred to is reprinted here, with some changes in the notes.

The memorandum was found among the papers of James Anderson, of Beattie's Ford, North Carolina, a son-in-law of Robert Burton. It was sent by his son, Rev. Robert Burton Anderson to George Lee Burton, atty-at-law, Louisville, Kentucky (a great grandson of said Col. Robert Burton), who sent a copy to the Editor, (and who has kindly assisted in the preparation of this paper).

Burton Memorandum.

"William Hunt,[1] a Frenchman, a Dr. of physick, removed to America, the time unknown, and settled at Kesmons warehouse[2] on James river, Charles City County, intermarried with Tabitha ——— and had issue George, John, William, and daughter Mary who was born 15 May, 1695, and who married Robert Minge[3] an American, and another daughter, name unknown, who married John Macon.[4] Mary had two daughters, Tabitha and Martha. Tabitha intermarried with Hutchings Burton and Martha with George Baskerville. R. Minge died and Mary intermarried with William Allen; issue, Ann, Wm. Hunt, John, Valentine, Susanah, G. Hunt, and Mary. Noel Burton[5] intermarried with Judith Allen whose family was from Wales. Hutchings Burton had issue by Tabitha,—John, Hutchings, Noel, Robert and James Minge, and two daughters, Martha and Mary."

NOTES.

[1]This William Hunt was probably a kinsman of the William Hunt, who was one of Nathaniel Bacon's friends and "died before

the rebels were reduced to submission," (Nov. 11, 1676, aged 77 years), and who was interred at "Bachelor's Point," Charles City Co. (See *William and Mary College Quarterly*, IV, p. 124.) John Edloe married Martha Hunt, daughter of William Hunt, of Charles City Co., who died in 1714 (Recital in a deed recorded in Surry). William Hunt Edloe was living in Charles City Co. in 1750. *William and Mary Quarterly*, XV, p. 283. Tabitha, the wife of William Hunt of the memorandum above, may have been a daughter of Lt. Col. Matthew Edloe and Tabitha, his wife. In 1675 James Minge was appointed guardian of John Edloe, son of Col. Matthew Edloe. *Wm. and Mary College Quarterly*, VI, p. 29.

[2]"Kesmon's Warehouse" was probably *Kennon's Warehouse*, near Swann Neck Creek in Charles City Co. Here Col. Richard Kennon lived before the Revolution, and the wharf there was known in recent times as Wilson's Landing. Col. Richard Kennon was son of Col. William Kennon, of "Conjuror's Neck," near Bermuda Hundred. He was born April 15, 1712, and married Ann Hunt, daughter of William Hunt, of Charles City Co., and died in 1761.

[3]Robert Minge was, it is believed, son of James Minge and Amadea Harrison, daughter of Robert Harrison, of York County. The latter, James Minge, wrote the laws of Bacon's Assembly in 1676.

[4]John Macon, son of Gideon Macon and Martha, his wife, was born Dec. 17, 1695.

[5]Noel Burton, father of Hutchins Burton, who married Tabitha Minge, married Judith Allen and was great-great-great-grandfather of George Lee Burton, who sent the memorandum above to the Editor. He was doubtless a relative of the Burtons of Goochland, Cumberland, and Henrico Counties. Said George Lee Burton, of Louisville, Ky., would be glad to hear from any one who knows the exact relationship between said Hutchins, and said Noel, and the Burtons of Henrico and Accomac Counties.

HISTORICAL AND GENEALOGICAL NOTES.

Dr. John Toton.—The archives of Massachusetts contain an interesting memorial from this French Huguenot, by which it appears that he was one of those who were expelled from Rochelle in 1661, because he had not been a resident previous to the landing of the English forces under Buckingham in July 1627. Dr. Toton, in behalf of himself and others, petitions to be permitted to reside in the Colony; that he came to America shortly after is shown by another petition presented to the General Court in 1687, in which he states that he had been an inhabitant in "the Territory of his Majesty" ever since 1662. Prior to 1681, and for some years later, he was a resident of York County, Virginia, and by the favor of Lord Effingham became "a free denizen" of that Colony. In 1687 he went to Massachusetts, intending to go to Arcadia on business for William Fisher, of Virginia, and the petition that he presented to the General Court at that time was to secure letters representing him as an Englishman, since he had learned that "all severity is used against French Protestants in that Island." (Baird, *The Huguenot Emigration to America,* I., 271.)

A Singular Death. (From the *Richmond Enquirer,* August 2, 1805.) At the seat of Col. Bailey Washington, in Stafford County, on Sunday the 14th instant, Died, in the bloom of life, Miss Catherine Storke, daughter of William Storke, esq. of Belleisle, in King George. The death of this young lady was occasioned by an accident, singular and uncommon. On the 4th of July the year past, in the course of an afternoon walk, with some ladies of her acquaintance, over a field where were growing some stalks of timothy grass, she plucked and put into her mouth a head thereof; a few moments after they were met and accosted by an harvest laborer, who had made a little too free with the bottle, and whose deportment was so extremely awkward and ludicrous as to exact in Miss S. a violent fit of laughter, which by the application of her handkerchief to her mouth she endeavored to suppress. In this most unfortunate effort, the head of grass, whole

and unbroken, was inhaled into the lungs. She survived the moment of the melancholy accident, but to encounter a train of agonizing and excruciating symptoms, which finally terminated in depriving the world of one of its fairest and most useful ornaments, her surviving parents of a most affectionate and dutiful daughter and her friends and associates of an amiable, agreeable and sensible companion.

OGILVIE'S SCHOOL IN ALBEMARLE.. The *Richmond Enquirer,* in its issue for April 9, 1805, contains an interesting account of this school, and it courses.

SHERWOOD JAMES.—William Sherwood, of Jamestown, in 1676 married Rachel, widow of Richard James. Her son by 1st husband, Richard James, Jr., was born Dec. 14, 1660, and died before 1690. There was a Sherwood James, who lived and died in South Carolina, and who was born apparently about 1680-90. Was he a son of Richard James, Jr., named for his stepfather?—*Joseph S. Ames,* Johns Hopkins University, Baltimore, Md.

HARWOOD-BAPTIST.—In her will recorded at Yorktown and dated March, 1781, Margaret Baptist, describes herself as daughter of Col. William Harwood, of Warwick County. She married (1) William Whitaker, (2) Edward Baptist. By the 2d marriage she had three children, Rachel, wife of Francis Lee, William Harwood Baptist and Edward Baptist. For *Harwood Family,* see *Wm & Mary Quarterly,* XIV, p. 281.

JOSEPH SHELTON WATSON, attorney at law, died at his father's in Louisa, on the 23d September 1805, in the 26th year of his age. He is described as a young man of uncommon abilities who completed his education a few years since at William and Mary College where he was the contemporary and rival of a (Chapman) Johnson, a (Benjamin Watkins) Leigh and others. (*Richmond Enquirer,* Oct. 8, 1805.)

LOUIS H. GIRARDIN.—In a notice of a magazine entitled, *Amoenitates Graphicae,* projected by Louis H. Girardin, a young Frenchman, who at the time held the chair of "Modern Languages, History and Geography" in William and Mary College," a young student of the College is quoted as saying of him: "Immured

in the walls of a convent, the early part of his life, he was devoted to study. He afterwards became Librarian to Louis, the Sixteenth, and here it was that he amassed that immense stock of knowledge, which he now possesses" (*Richmond Enquirer,* April 2, 1805). It was Girardin, who wrote the 4th volume of Burke's *History of Virginia.*

UNIVERSITY OF VIRGINIA.—At the beginning of the session of the Legislature 1805-06, there appeared in the editorial column of the *Richmond Enquirer* an essay on the necessity of a University from a man who is described as "a Republican, who had himself mingled in the thickest contest of parties and borne off the most honorable trophies of victory." He argued that about 500 children left the State every year to be educated elsewhere. He estimated this as a loss in money of 400 dollars each. This annual drain of cash was equal to a capital of four million. Yet half a million would save it.

By investing half a million in a university an accumulating capital of half a million dollars annually would be saved.

The writer's plan of raising the money required was to have a subscription by law, annual lotteries and a tax on pleasure horses, carriages or other subjects owned by the richer class.

Accordingly, on January 14, 1806, James Semple, representing the County of New Kent (afterwards Professor of Law in William and Mary College) asked leave, in behalf of himself and others, to bring in a bill to establish "The University of Virginia." In his speech at this time he explained the details of his project, which were essentially the same as outlined in the early communication. (See *Richmond Enquirer,* 16th January, 1806.) It was desirable, he thought, that the university should "be established in some county that was below the Southwest mountains, in a central situation, recommended by the salubrity of the climate and the cheapness of the provisions." Three-fifths of the capital was to be employed in conducting the institution and two-fifths in purchasing a proper site and in erecting the necessary buildings.

Leave was, accordingly, given by the House to bring in the

bill, and Messrs. Semple, Tazewell, Smythe, of Wythe, Harvie, Miller (of Northumberland) Jones (of Nottoway) Wooding, Reeder, Moore, Minor, Garland Harrison (of Amelia) and Carter Harrison, were appointed a committee for the purpose.

And then Mr. Semple asked leave to bring in a bill to "open up a subscription for the benefit of the University of Virginia," which was referred to the same select committee.

Nothing more seems to have been done at this session on the subject. Mr. Semple was a son-in-law of Judge John Tyler, who as a member of the Legislature in 1779, had supported all of Mr. Jefferson's reform bills and was an ardent advocate of his educational plans. It was a result of Tyler's message as governor in 1808 that the Legislature established the Literary Fund, which subsequently furnished much of the means employed to build the university.

It is probable that in proposing the bill at this time Mr. Semple acted in co-operation with his father-in-law.

MAROT.—Clement Marot, in the 16th century, voiced the spirit in verse of the Huguenots, and his hymns were very popular. One of the family named, Jean Marot, came to Virginia in 1700 and in 1704 was in the employment of William Byrd, of Westover, probably as secretary. He was then 27 years old. The next year he settled in Williamsburg, where he obtained a license to keep ordinary. He made his will August 31, 1717, which was proved in York County December 16, 1717. His death appears to have been brought about by the violence of one Francis Sharpe, who was arrested and remanded to the public jail at Williamsburg November 18, 1717, for the murder of John Marot. He left a considerable personal estate valued at £904.11.1. By his wife Anne, who married, 2dly, Timothy Sullivan, and moved to Amelia County, he had three daughters, Edith who married Samuel Cobbs, Ann, who married (1) James Inglis (2) James Shields, and Rachel who married Richard Booker, of Amelia County. Anne, the daughter of James Shields, of York County, married Robert Armistead of King's Creek and had Mary Marot, who married Judge John Tyler, father of President John Tyler.

BOOK NOTICES.

History of the United States Circuit and District Courts for the District of North Carolina. By Henry G. Connor, Judge of the United States District Court for the Eastern District of North Carolina.

Memorial Address on the Presentation of the Statue to the City of Wilmington of George Davis, Senator and Attorney General of the Confederate States of America, April 20, 1911. By Henry G. Connor, Judge of the United States District Court for the Eastern District of North Carolina.

These are two very interesting addresses made by the distinguished author of the *Life of Judge John A. Campbell.* Each of them is a valuable contribution to history. The sketch of George Davis includes a strong presentation of the opinions of prominent North Carolinians on the relations of the States to the Union. Mr. Davis especially was a man of high character and profound learning in the law. His wife, Miss Mary A. Polk, was a niece of the celebrated Bishop and General, Leonidas Polk.

Francis Morgan, an Early Virginia Justice, and Some of His Descendants. Compiled by Annie Noble Sims from the notes of Mr. William Owen Nixon Scott, and from original sources. Braid & Hutton, Inc., Printers, Savannah, Georgia, March, 1920.

Francis Morgan was one of the first settlers in York County. Though nothing positive is known of his ancestry in England, he was evidently of excellent lineage, as is evidenced by the fact of his being one of the justices and a member of the House of Burgesses from York County. He had an only son, Francis, who left two daughters, Sarah, who married Thomas Buckner, and Ann, who married Dr. David Alexander, of Gloucester Co. From these the original emigrant is largely represented in Virginia, the South and West, through the Baytops, Scotts, McGehees, Stubbses, DeJarnettes Simses, and many other well known families. In the effort to trace and classify these descendants Mrs. Sims has done a notable work. The book may be found in most of the leading libraries, and it is the hope of Mrs. Sims that her labors will be of use to many enquiring persons.

Address of Col. H. A. Du Pont, September 16, 1920, at the unveiling of the monument erected to the memory of Major General Stephen D. Ramseur, on the Cedar Creek battlefield, near Middletown, Virginia.

The Story of the Huguenots, as contained in two addresses made before the Huguenot Societies of South Carolina and Pennsylvania. By Henry A. Dupont. Cambridge: The Riverside Press, MDCCCCXX

The first of these addresses contains a generous tribute from Col Du Pont to the gallant General Ramseur, of North Carolina, who fell at the battle of Cedar Creek. Their relations at West Point had been very close. It is a touching fact, stated by Col. DuPont, that, as Ramseur lay dying, he grasped his hand with the ancient cordiality, and the present seemed lost in the warmth of the old friendship.

The two addresses before the Huguenot Societies are bound together in a tasteful little book, and tells the story of the rise of Protestantism in France, its early successes, and final overthrow, with the accompanying persecutions and the flight to all parts of the world of its unfortunate devotees. Col. Du Pont makes his addresses very readable, and at times the narrative is really thrilling. These Protestants became known as Huguenots, and Col. Du Pont calls attention to the fact that in the last half of the seventeenth century at least six independent settlements of Huguenots were made in this country, from Massachusetts to South Carolina. There is, therefore, a much greater diffusion of Huguenot blood in the United States than is generally supposed. Col. Du Pont quotes Henry Cabot Lodge as saying that the people of French blood in the United States exceed absolutely, in the ability produced, all the other races represented except the English and Scotch-Irish. Among the posterity of the Huguenot emigrants, he includes three Presidents, Tyler, Grant and Roosevelt, and many members of the Cabinet, ambassadors, governors, generals and naval officers, including Decatur, Du Pont, Dewey and Schley.

The Devon Carys, in Two Volumes. Privately printed. The Devinne Press, New York, 1920.

The preface to this work seems to show that it was compiled by F. H., who writes from "Belvoir House, Fauquier County, Virginia." It is an open secret that the owner of this fine residence is Fairfax Harrison, who is well known for his literary ability and tastes. We must conclude that Fairfax Harrison is the genial author of these volumes, as he was of another charming work issued not long ago under

the same letters, and entitled "The Virginia Carys." To criticize properly the present work is to deal in heroics. The mass of information is astonishing. It is not alone the Carys of England and Virginia which are presented here, but the work, as a history of society and the times, is most interesting. Mr. Harrison shows an erudition in dealing with social and historic conditions, both in England and Virginia, that is remarkable.

When we look to faults in the fine structure of this impressive work, the few that occur to us seem to rise from Mr. Harrison's disposition to fear the warping of family pride or State prejudice. In his resolve to write impartially he leans not forward but backward. He starts out in his preface with questioning the obviousness of the observation of the writer in the *Herald and Genealogist* who said a generation ago: "The History of the Cary Family remains yet to be written, but there can be little doubt that in able hands it would prove a valuable as well as an interesting contribution to the literature of our country." Mr Harrison states that the Carys have not been one of the great governing families of England and they have always been champions of lost causes, both in England and Virginia. Well, suppose they have been. This is not an answer to the *Herald and Genealogist.* Stress was laid by it upon a history of the Carys *in able hands,* and the work itself shows that the condition has been fulfilled. Then all the interest in history does not lie with the governing people and the triumphant causes. But is it a fact that the Carys were not among the governing families? Mr. Harrison, out of his modesty, may say no, but the history itself which he presents says yes. Even to please Mr. Harrison, we are not going to say that Lucius Cary, Lord Falkland and Henry Cary, Lord Hunsdon, were not masterful men. We are not going to say that Col. Archibald Cary was not a leading spirit in Virginia at the time of the Revolution. Nor are we going to say that, because the Carys were attached to lost causes, they were any the less interesting for that reason. The hero of the Trojan War was not the triumphant Achilles, but the beaten Hector, and the greatest, purest, finest name of the War Between the States was Robert E. Lee.

Probably it is the same sort of spirit—a dislike of being considered too partial to his State that has sometimes given a pessimistic coloring to his otherwise excellent notes on Virginia in the second volume. While Virginia writers have talked too much of cavalier ancestry, we are sure a much stronger case might be made out for this influence in Virginia than Mr. Harrison has done. To describe Virginia brick as of "poor quality" has still more of the appearance of an error. The statement is certainly not supported by

the reference given to Neill, *Virginia Carolorum*, 263, 294, nor was the ruinous condition of the five forts in the rivers when Jeffreys arrived in 1677, any indictment of their quality. The reason is that these forts were at first not made of brick, but of planks and earth, and bricks were not used in their construction till ordered by the General Assembly in 1672. Then it was not the fault of the bricks that rendered the forts insecure, but the inefficiency of the engineers and contractors. Plenty of specimens of 17th century bricks have come down to us, as shown in "Bacon's Castle" in Surry County, and the church tower at Jamestown, which proves the durability and superior quality of early Virginia brick.

Nothing but praise can be said of the purely mechanical part of the work. The type and paper are fine. We only regret that the index is not more full and complete, so as to put more readily in the hands of the student the treasures of this splendid production.

History of the University of Virginia, 1819-1919. The lengthened shadow of one man. By Philip Alexander Bruce. The Macmillan Company, New York.

This work is to be complete in five volumes, and two of the five are in hand. They constitute a monument as much to the honor of the author, who is *facile princeps* among Virginia historical writers, as to that of the Founder of the University, Thomas Jefferson, undoubtedly the greatest statesman in the history of the United States. When Hugh Blair Grigsby wrote his sketch of Littleton Waller Tazewell, ex-President John Tyler, who had served with Tazewell in the United States Senate and had the most exalted ideas of his ancient colleague, exclaimed, "Fortunate the man who has such a biographer and fortunate the biographer who has such a subject." In this noble work the great Jefferson has a fit historian. Trained to his work by long experience, industrious and indefatigable, and blessed with intellectual power of a noble order, Dr. Bruce presents, in a thoroughly readable form, the history of the institution, which Jefferson founded. The work contains the most complete account ever written of Thomas Jefferson's activities as an educational reformer and promoter of public instruction.

As the champion of free institutions, Jefferson looked to education as the cornerstone of the State. He believed that, while the only safe depository of the ultimate powers of society was the people, it was essential that it should be an educated people.

It is to Jefferson's unapproachable honor that he had his view in mind from the dawn of independence. No other person had so complete a grasp of the situation, and his great bill covering a com-

plete educational system for the State, offered in 1779, is the most luminous conception ever presented to a legislative body.

He never departed from this great ideal, and while he never saw it wholly realized in his lifetime, he did live to see perfected the capstone of the system in the establishment of the University of Virginia.

It has been Dr. Bruce's business to tell the story of how all these things struggled and shaped themselves. His has been a work of selection, both as to his material and to his thoughts. He is no servile eulogist of the great Virginian, but with the cool, judicial temperament of the historian accustomed to weighing things impartially, Dr. Bruce shows Jefferson's errors as well as his successes. He does not consider his treatment, for instance, of William and Mary College at all times generous and sincere. There is no doubt that it was largely due to his stay at that institution, under the tutelage of the famous Dr. William Small that his ideas of the dignity of man rose and developed. "He fixed the destinies of my life," he said, and undoubtedly by this he meant that those free conceptions which animated his career were largely influenced by his associations with Dr. Small, who, as the professor of the Natural Sciences, was the enemy of all the narrow dogmatisms of the old philosophy. As the friend and adviser of Watt, Dr. Small ministered at the birth of invention, and as the tutor of Jefferson he was sponsor to the birth of freedom.

These two volumes, now given to the public, take the institution, from its germination as an academy and a college, through its formative and experimental stages as a university. At each successive stage the university had the nursing care of its father and founder, who not only devised the plan of its construction, but superintended the building from step to step. Not only, indeed, did Jefferson show that he had a comprehensive knowledge of the educational needs of his fellow man, but he proved that he was in all things essentially an architect, who made taste his best expression. Dr. Bruce calls attention to the fact that when he died, so supreme was Jefferson's influence that the after life of the university continued to respond to those forces which he had set in motion. The university during his lifetime was the concrete expression of the man and its after life has been his "lengthened shadow." We await with much interest the publication of the other three volumes, embracing the more modern life of the university, and which we are informed will not be long withheld from the public.

STRATTON NOTTINGHAM

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SUBJECT INDEX.*

VOL. II.

Anecdotes: John Adams and George Washington, 81; Polk and Benton, 81; Webster and the Adamses, 82; Webster and Lord Brougham, 80; Webster and W. W. Corcoran, 82; Col. Byrd and Duke of Cumberland, 82, 83; Christopher Hughes and the King of Holland, 83; Hughes and the Duke of Wellington, 80, 84; Hughes and General Scott, 84; Mr. Madison, 85; John Tyler and John Randolph, 139, 358.

Aristocracy: In Pennsylvania, 86; in Maryland, 86, 87; in Virginia, 88, 89, 90, 93-97; in New England, 148.

Arnold, Benedict: A plan to capture, 331-337.

Baptists: Petition for a Meeting House, 329.

Barbers and Perukemakers, 203, 205.

Bassett Family, 140.

Bellini, Charles, First Professor of Modern Languages, 178.

Belles of Saratoga in 1816, 302-305—Misses Livingston, Wilkins and Phillips.

Blackburn, William, and His Descendants, 263-268.

Book Notices: "The Conquest of the Old Southwest," by Dr. Archibald Henderson, 142; "John Archibald Campbell," by Judge Henry G. Connor, 208-215; "History of the United States Circuit and District Courts of North Carolina," by Judge Henry G. Connor, 283; "Memorial Address on the Presentation of the Statue to the City of Wilmington of George Davis," by Judge Henry G. Connor, 283; "Francis Morgan and Some of His Descendants," by Annie Noble Sims, 283; Addresses of Col. H. A. Dupont, 284; "The Devon Carys, in Two Volumes," by F. H., 284-286; "History of the University of Virginia," by Dr. Philip Alexander Bruce, 286, 287.

British: Humanity of the, 310-314; paroles exacted by, 73-75.

Brunswick County: Justices in 1736, 358.

Burton Memorandum, 113, 114, 207, 273-278.

Burwells of New Jersey and Canada, 327-329.

Cary Family, 284.

Champe, John, 331-335.

Sir John Clay, 139.

Charles City County Petitions: Against the Paper Money, 160-165; Thomas Goodwyn's heir, 165; Quakers, for special privileges, 166; Quakers against slavery, 167-170; B. Harrison against Gill Seines, 170, 171; Benjamin Harrison regarding Robert Morris, 171-176.

Colonial Brick, 286.

Curle Family, 140.

Cusick Family, 264, 265.

Dunmore, Lord, Proclamation freeing servants and slaves, 323.

Established Church, Memorial for an, 230-232.

Fauquier County, Finding of, 314-320; Indians of, 316-318; Baptists in, 239.

F. F. V.'s, 80-85.

Flowerdew Hundred, 115; Why named, 126-130.

Flowerdew Family, 125-130.

Floyd, John B., A Defence, 154-156.

Formicula-Stuart-Bankhead, 194.

Fort Sumter, 208-213.

French Huguenots: Dr. John Toton, 279; Jean Marot, 271, 272, 282, History of, by Col. Dupont, 284.

Galt, J. M.—A sketch, 247.

*Notice: The pagination of the first number in this volume by mistake began with page 289 and ran to page 360. The next number commenced with page 73, as if the first number had been correctly numbered, and after this the third and fourth numbers continued in regular sequence. The indices follow the order of the numbers.

Gilliam, James Skelton, *A Trip to the North*, 249-310.
Girardin, Louis H, 280.
Goodriches of Isle of Wight County, 130, 131, 207.
The Great Freshet, 244, 245.
Greensville County, Marriage Bonds, 248-256.
Hansford, Thomas, 358; Elizabeth, 159.
Hardings of London and Virginia, 104-110.
Harwood-Baptist, 280.
Holladay Family, 257-262.
Hospital for Lunatics, 177, 185.
Impost Act of 1781, 357.
Indians: The Shawnees 320, 321; Manahoacs, 316-319; Monacans, 317-318; Tribes of Fauquier Co., 315-319; Florida, 111, 112.
James City County Petitions: Directors of the Hospital for Lunatics for pay to the Keeper and Matron, 177; Charles Bellini for pay as clerk of Foreign Correspondence, 178; John Blair for Salary, 178, 179; Justices for use of the Public Jail, 178, 179; John Watkins as Steward of the Continental Hospital, 180; Gabriel Maupin for Bounty Land, 180; Lessees of the Governor's Land for Quiet Possession of Their Leases, 181; Authorities of Williamsburg for the Use of the Late Capitol as a School, 182; Same for a Lottery, and Power to the Hustings Court to admit deeds and wills to record, 183, 184; Dr. John de Sequeyra for pay as physician to the Hospital for lunatics, 185; Dr. William Carter for bounty land, 185; Walter Hopkins for compensation, 186; Major John Lee for compensation, 187-190; Dr. Joseph Hay for Compensation as surgeon's mate of Virginia State Hospital, 196; John Lambert for confiscated lands, 190, 191; Wilson Miles Cary for emancipating a slave, 191, 192; Rector of Bruton Parish for sale of the Glebe, the Factory and Whaley's Free School land, 192, 193.
Jefferson and his Detractors, 151-153.
Johnson, Marmaduke, 358.
The Judiciary Power, 217-221.
Lancaster County: Destructive wolves in, 358.
Letters: John Tyler, Sr., 151; Robert M. Hughes, 154-156; R. Griswold, 228-229; Thomas Jefferson, 233; John Howard, 224; Dr. J. M. Galt, 246, 247.
Life in the Old South, 101-104.
Lincoln: Criticised by initimate friends, 149; in what sense his death was a "dark day," 150; how unlike John Marshall, 221; Vacillation as to Fort Sumter, 208-215; a political dancer, 214-215.
Litchfield Law School, 157, 158, 224-230.
Marot, Jean, 282.
Marriage Bonds: Northampton County, 338-357; Greensville County, 248-256.
Negroes: As suppliant and contraband, 77-80; Slave trade in, 79; Slavery and Freedom, 98-101; in Mississippi, 101-104; freed by Lord Dunmore, 323; Quaker's Petition in 1831, 167-169.
New England Colonies: Despotic Government in, 146.
Non-Slaveholders, 99.
The North in 1816: Poor table fare, 294; farms well cultivated, 294; indifferent pulpit orators, 298; belles of Saratoga, 302-305.
Noland - Harrison - Powell - Gilmer Records, 132-134.
Northampton County: Resolutions on the Stamp Act, 217; Marriage Bonds, 338-357.
Ogilvie's School, 280.
Paroles and Oaths of Allegiance, 73-75.
Pilgrim Fathers, 145-147.
Point Pleasant, Battle of, 320.
Powell, Capt. William, 268-270.
Princeton College, 295.
Queries relating to Watson and Lee, 357.
Ramseur, Stephen D., 284.
Rawlings (Rawlins, Rollins) Family, 258.
Rhode Island and Independence, 222, 223.
Richmond: Land Boom, 1813-1818, 358.
Saratoga: Described in 1816, 294-306; belles of Saratoga, 302-305.
Scotch Broom, 246.

Semple, James, 282.
Sherwood, 207, 280.
Sims (Simms) Family, 265, 268, 283.
Slavery and Freedom, 98-101.
Stanley Hundred, 121; Why so named, 125.
Storke, Catherine, 279.
Tayloe, Benjamin Ogle, "Memorials of," 80-97.
Taylor, Col. Francis, Revolutionary services, 335-338.
Tombstones: Mrs. Elizabeth Hill Skipwith, 322; Obelisk at Curls Neck, 245.
Tyler, John, Story of meeting John Randolph, 139; his Bible carried off, 358.
University of Virginia: Site of the, 223; bill to establish, 281; history of, 286, 287.
Venable, Richard N, Diary of, 135-138.
Virginia: The arrested charter of 1676, 289-294; its people a military people, 320-321; behind the Northern States in farming, 294; better in everything else, 295; State Notes at a discount, 295; described by John Lederer, 319; influence in the Revolution, 76, 77; Witchcraft in, 105; Early Colonial brick, 286; first State to declare independence, 223; first to impose penalties on any citizen engaged in the slave trade, 79.
Watson, Joseph Shelton: A sketch, 280.
Wigs, 203.
Williamsburg: Hospital for the Insane in, 177, 185; Public Jail, 179; Continental hospital, 180, 185, 190; Magazine, 180; Capitol Building, 182, 183; Mr. Anderson's School, 201; Races and Jockey Club, 201.
William and Mary College: Compared with Princeton in 1816, 295; petition for support, 234-242; revenues of, 237-242; Library and endowment funds and lands, 243, 244.
Yardley, Sir George, 115-124.
York County Records, 204-206, 270-273.

GENERAL INDEX.

Abdeel, 345, 356.
Abernathy, 248, 249.
Abingdon, 263, 264, 265.
Abrams Plains, 198, 199.
Adams, 333, 80, 82, 149, 153, 208, 248
Addison, 345, 348, 351.
Aesopus, 310.
Airlie, 314.
Alabama, 103.
Albany, 296, 297, 307, 150.
Albemarle, 178, 233, 280.
Algonquin Indians, 314, 318.
Alexander, 283.
Alleghany Mts, 317, 173.
Allen, 90, 113, 114, 164, 248, 251, 273 277, 278.
Allison, 188.
Alston, 86, 199, 200.
Almack's, 83.
Ambler, 182.
Amelia Co. 137, 272, 282.
Ames, 196, 280.
Amoenitates Graphicae, 280.
Anderson, 347, 113, 156, 201, 202, 277.
André, 332.
Andrews, 339, 348, 350, 353, 354, 146, 225, 249, 253.
Annapolis, 80, 87, 88.
Antigua, 322.
Apalatean Mts, 317, 142.
Applewhite, 249.
Archer, 119.
Arkansas River, 112.
Armistead, 164, 272, 82.
Arnold, 322, 333, 348, 151.
Arthur, 135.
Artis, 249.
Asbury, 329.
Ash, 345.
Ashfield Thorpe, 127.
Ashton, 109.
Atkins, 249.
Atkinson, 164, 249, 253.
Atwood, 359.
Austin, 164.
Avent, 249, 253.
Avery, 312, 313, 249.

Bachelors' Point, 113, 278.
Bachurst, 206.
Bacon's Castle, 286.
Bacon's Rebellion, 289, 358, 113, 159.
Bacon, 299, 113, 140, 141.
Bagwell, 344.
Baird's Tavern, 307.
Baird, *The Huguenots*, etc., 279.
Bailey, 87, 279.
Baker, 339, 347, 165, 269.
Baldwin, 210, 212, 213.
Ball, 108, 109.
Ballard, 164.
Ballstown, 297, 303, 305, 306.
Bancroft, 358.
Bandy, 264.
Banister River, 138.
Banister, 140, 151.
Bankhead, 194, 195.
Baptist, 280.
Barbar, 273.
Barclay, 158.
Barksdale, 270.
Barlow, 339, 351, 249.
Barnard, 270.
Barnes, 309, 132, 158, 249.
Barraud, 359.
Barret, 339.
Barod's Tavern, 296.
Bartholomew, 296.
Baskerville, 113, 273, 274, 277.
Bass, 248, 249, 250, 254.
Bassett, 140, 141.
Bates, 170, 270.
Batson, 351, 356.
Batte, 249, 250, 251, 269.
Battles and Leaders of the Civil War, 154.
Bayard, 86, 96.
Bayaton, 353.
Beadles, 165.
Bearcroft, 109.
Beavans, 351, 353.
Beasley, 198.
Beattie's Ford, N. C., 277.
Becket, 338, 341.
Bedford, Eng., 327.
Bell, 338, 341, 342, 347, 352.
Belote, 346, 349, 356.
Bellevue House, 301, 303.
Bellini, 178.
Belleisle, 279.
Belvoir House, 284.
Bennett, 329, 250.
Benthall, 338, 352, 356.
Benton, 81.

Berger, 306.
Berkeley, 290, 159, 170, 269.
Bermuda Hundred, 278, 131.
Bernard, 306, 78, 85.
Berry, 108.
Berryman, 250.
Besouth, 203.
Betts, 109.
Beveridge, 219, 221, 222.
Beverley, 95, 97.
Bilbro, 250.
Binge, 164.
Binns, 165.
Birmingham, Ala., 357.
Birdsong, 250.
Bishop, 269.
Black, 154, 155, 263, 264.
Black's Fort, 264, 265.
Blackburn, 263-268.
Blackheart, 164.
Blagrove, 164.
Blair, 149, 178, 179, 205, 210.
Blandfield, 95.
Blaney, 268.
Blanks, 164, 208, 250, 253.
Blanton, 199.
Bledsoe, 118.
Blissland Parish, 141.
Blount Co., Tenn., 265, 266.
Bloxom, 353.
Blue Licks, 321.
Blue Ridge, 318.
Bogert, 301.
Boisseau, 251.
Bolling, 97.
Bonaparte, 294.
Bonner, 251.
Booker, 272, 282.
Boole, 339, 352.
Boone, 142.
Booth, 150, 272.
Borden, 299.
Boston, 80, 208.
Boswell, 82, Bothwell Castle, 87.
Bottom, 248, 251.
Botts, 213.
Bowcock, 206.
Bowdoin, 341, 343, 345, 356.
Bowen, 206.
Bowis, 206.
Bowles, 164.
Bowlwell, 351.
Boyd, 353.
Boykin, 251.
Boyle, 357.
Bracken, 193.
Braddock, 321, 86.
Bradford, 343.
Bradley, 107, 164.
Brafferton, 242, 244.
Braiser, 344.
Brandon, 289, 89, 95.
Branscomb, 251, 256.
Brandywine, 320.
Brent, 188.
Brewer, 164.
Bridger, 130.
Bridgman, 269.
Bristol, 294, 298, 197, 269.
Bristol Parish, 294.
Britt, 251.
Brock, 294.
Brook, 132, 188.
Brookland, 131, 207.
Brougham, 82.
Brown, 307, 164, 200, 226, 250, 251, 272.
Browne, 193, 271.
Browning, 120, 221.
Bruce, 138, 251, 286, 287.
Bruton Parish, 322, 271.
Bryan, 205.
Bryant, 137.
Buchanan, 149, 154, 156, 205, 210, 211, 212.
Buchan, 86.
Buck, 164.
Buckingham, 279.
Buckley, 252.
Buckner, 272, 273, 283.
Buford, 189.
Bullifant, 164.
Bullock, 343.
Bumley, 337.
Bunyan, 146.
Burch, 358.
Burgess, 329.
Burke, 290, 357, 98, 214.
Burke, *History of Virginia*, 281.
Burr, 308, 225.
Burrell, 139.
Burrows, 95.
Burton, 337, 342, 344, 346, 350, 113, 114, 125, 207, 273-277.
Burwell, 327, 328, 90, 97, 255.
Butler, 78, 165, 252.
Butts, 249, 252.
Bynum, 251, 252.
Byrd, 322, 357, 82, 83, 88, 95, 97, 282.
Byrne, 138.
Cabell, 298, 322, 357, 245.
Cable, 342, 343.
Cadwallader, 86.
Cain, 301, 248, 249, 252.
Calhoun, 99, 208, 225, 226.

Callahan, 116
Calland, 135.
Callender, 149.
Calloway, 269.
Call's Reports, 218.
Cambreling, 157.
Cambridge, 89.
Camp, 252, 253.
Campbell, 345, 352, 193, 208-215, 265, 283.
Camden, 74.
Canada, *Translations of the Royal Society*, 325.
Capitol Landing, 193.
Caple, 348.
Carleton, 117.
Car of Neptune, 307.
Caroline Co., 95.
Carpenter, 341, 344, 351, 355.
Carter, 301, 322, 89, 94, 97, 164, 165, 185, 205.
Cary, 78, 131, 191 192, 193, 205, 207, 272, 284-286.
Case of the Judges, 218.
Casey, 263.
Caswell Co., N. C., 197.
Catlett, 316.
Cato, 252, 253, 255, 256.
Catskills, 307.
Cavendish, 87.
Cedar Creek, 284.
Cerro Gordo, 81.
Chamberlain, 117.
Chambliss, 253.
Champe, 331-334.
Champaign Co., 267, 268.
Champlin, 224.
Chancy, 165.
Chandler, 356, 158.
Chantilly, 93, 96.
Chapman, 256.
Charles, 250.
Charles I, 119, 123, 138.
Charles II, 289, 290.
Charles City Co., 113, 160-176, 205, 207, 273, 278.
Charleston, 86, 125, 148, 211.
Charleston College, 148.
Charlestown, 186.
Charles Parish, 270.
Charles River, 272.
Charlotte Co., 136, 138.
Charlotte, N. C., 275.
Chase, 149.
Chatham, 214.
Cheatham, 199.
Cheriton, 312.
Cherry Point, 104.
Chesapeake Bay, 315, 317, 76, 77.
Chesterfield Co., 207.
Chicacoan, 104, 138.
Chickahominy, 315, 181.
Chippoakes Cr., 269.
Chiscake Church, 205.
Chisholm, 300, 303.
Chisman, 272.
Christ Church, 94.
Christian, 339, 347, 348, 164, 174, 193, 254.
Christianberry, 253
Chronicles of America, 146.
Churn, 347.
City Point, 90.
Claiborne, 253.
Clanton, 253.
Claremont, 90.
Clarke, 164, 165, 249, 250, 253, 256.
Claughton, 105, 108.
Clayton, 125.
Claxton, 125.
Clay, 82, 83, 99, 139, 207, 214.
Clegg, 340, 345, 346, 351.
Clemenceau, 200.
Clements, 248.
Clifton, 253.
Clingman, 210.
Clinton, 73, 77.
Cobbs, 205, 270, 272, 282.
Cochran, 132.
Cocke, 247, 254, 274.
Cockerham, 269.
Cockrell, 110.
Coke, 357, 193.
Coker, 249.
Cole, 306.
Coleman, 198.
Coleman, *Life of Crittenden*, 209.
Coles, 137, 138.
Colgin, 164.
Collett, 205.
Collier, 311, 312, 76, 77, 164, 253, 254.
Collins, 356.
Commonwealth vs. Caton, 218.
Congress Hall, 298, 303-306.
Congress Spring, 297.
Conjurors Neck, 278.
Connally, 254.
Connecticut, 300, 310.
Connecticut River, 300, 227, 228.
Connor, 208-215, 283.
Connover, 150.
Constantinople, 314.
Cooke, 257, 352.
Cooksey, 248, 250.
Cooper, 91, 120.

Coontz, 194.
Copenhagen, 83.
Copland, 358.
Corbell, 164.
Corbin, 322, 89, 95, 97, 108.
Corcoran, 82.
Core, 340, 342.
Corley, 272.
Corn, 254.
Cornstalk, 321.
Cornwallis, 327, 74, 75, 151.
Cosby, 205.
Costin, 342, 345, 351, 354, 355.
Cottrell, 110.
Courser, 344.
Courts, 196.
Coventry, 293.
Coward, 340.
Cowdrey, 354.
Cowen, 254.
Cowper, 94.
Coxe (Cox), 349, 137, 196.
Coxon, 131.
Craig, 247.
Crallé, 109.
Crawford, *Story of Fort Sumter*, 156.
Crease, 204.
Crighton, 164.
Crippen, 339.
Croghan, 307.
Crouches Creek, 269.
Cruikshank. 111.
Crump, 254.
Crutchfield, 270.
Cullin, 341.
Culpeper, 289, 316, 318, 257.
Cumberland, 82, 88, 90, 274.
Curle, 140.
Currie, 344.
Curtis, 156, 271, 272.
Cusick, 264, 265, 267.
Custis, 343, 351, 354, 355, 271.

Dabney 189.
Dalby (Dolby), 339, 343, 344, 345, 347, 348, 350.
Dancy, 164, 165, 254, 255.
Darby, 339, 342, 356.
Davis, 347, 150, 157, 198, 199, 205, 211, 250, 251, 264, 283.
Dawson, 199, 255.
Davye, 124.
Day, 255.
Deare, 356.
Decatur, 284.
Delaware, 96, 115.
Delaware River, 294.
Delawares, 321,
De Lis, 96.
De Lancey, 91,
Demerry, 255.
Dennison, 255.
Devereux, 157.
"The Devon Carys," 284.
Dewey, 343, 349, 284.
Diamond Island, 301.
Diason, 140.
Dick, 189.
Dinwiddie Co., 296.
Ditchley, 357.
Dixon, 339, 340, 341, 348, 352, 355.
Dogi, 318.
Donunal, 255.
Douglas, 304, 210.
Downey, 197.
Downing, 340, 350.
Dowsing, 206.
Downs, 341.
Dowty, 340, 343, 344.
Drake, 164, 207.
Draper, 263.
Drighouse, 338.
Dunbar, 322.
Duke, 358, 164.
Dunmore, 323, 324, 88, 89, 130, 194, 195.
Dunn, 255.
Dunton, 339, 345, 347, 351, 352, 353, 355.
Dupont, 284.
Dupree, 250, 251, 254-256.
Duquesne, Fort, 321.
Duquesnoy, 195.
Dustin, 342, 343.
Dwight, 301.
Dyer, 271.
Dyson, 125.

Eagle Tavern, 195.
Earley, 117, 118.
Easter, 271.
Eaton, 197.
Eavens, 165.
Eaves, 254.
Edenton, 200.
Edgar Co., Ill., 264, 266, 267.
Edinburgh Review, 145.
Edinburgh, 247.
Edloe, 165, 278.
Edmondson, 164, 198.
Edmunds, 339, 255.
Edwards, 164, 200, 255.
Effingham, 358, 279.
Elgin Co., 327.

Elizabeth City, 295, 272.
Ellet, 355.
Elligood, 326, 352, 353, 355.
Elliott, 329, 349, 256.
Eliot's *Debates*, 358.
Ellis, 256.
Eltham, 194.
Embrey, 358.
Embree, 261.
Emmett, 308.
Emory, 257, 258.
Endicott, 148.
Erskine, 86.
Eppes, 256.
Eshom, 338, 353.
Eskridge, 110.
Essex Co., 324, 95, 196, 272.
Eton, 89.
Eusebia, 266.
Evans, 341, 342, 347, 351, 256, 264, 272.
Evelyn, 194.
Ewing, 331.
Exeter, N. H., 80.
Eyre, 339, 342.
Ezell, 256.

Fairfax, 95, 97, 263.
Fairfield, 310.
Faison, 256.
Falkand, 285.
Farley, 322.
Farnefold, 106.
Farthery, 356.
Fauquier, 314-319, 329, 284.
Feild, 294.
Felgates Creek, 270.
Fennell, 256.
Fergusson, 255.
Fielder, 105.
Fielding, 253.
Fields' Ford, 316.
Fisher, 338, 349, 356, 255, 256, 279.
Fisherman, 343.
Fiske, 314
Fitchett, 342, 353, 354.
Flanders, 90, 131.
Flat Rock Springs, 305.
Flinn, 305.
Flowerdew, 115, 125-129.
Flowerdew Hundred, 115, 116.
Floyd, 338, 343, 353, 354, 154-156.
Flynt, 109.
Formicula, 194.
Forrell, 274.
Fort Donelson, 156.
Fort Gibson, 112.
Fort Micanopy, 111.
Fort Smith, 207.
Fort Sumter, 208-215.
Foster, 129, 140, 249, 256.
Fothergill, 268.
Fox, 250, 256.
Franklin, 135.
Franklin Co., O., 331.
Fredericksburg, 315, 90, 95, 257.
Frederick Co., 265, 266.
Freeman, 357, 255.
French Ordinary, 271.
Freneau, 149.
Freshwater, 339, 341, 354, 355.
Frothingham, *Rise of the Republic*, 222.
Fullenwider, 276.
Fuller, 272.
Fullwell, 313, 338.
Fuqua, 164.

Gaines, 307, 308, 309.
Galloway, 77, 90.
Gale, 344.
Galt, 177, 246, 247.
Gambier, 76.
Garland, 282.
Garner, 254.
Garnett, 194.
Garrett, 350-353, 116, 125-127, 129.
Garriss, 255.
Gascoyne, 350, 351.
Gates, 116, 189.
Geddy, 204.
George IV, 92.
Georgia, 103, 275.
Gettysburgh, 320, 213, 214.
Ghent, 83.
Gibbons, 272, 251, 255.
Giddens, 349.
Gideon, 336.
Gilbert, 277.
Gilden, 343.
Gill, 164, 270.
Gilliam, 294-313, 164, 252.
Gillies, 301.
Gilmer, 303, 304, 133.
Gilmer's *Georgians*, 133.
Ginnings Ordinary, 137, 138.
Girardin, 178, 280.
Gladden, 298, 300.
Glanville, 355.
Glen Falls, 301.
Gloucester Co., 327, 78, 111, 112.
Godwin, 330, 344, 346, 350.
Goff, 165-204.
Goffigon, 339, 341, 347, 355.

Goochland, 114.
Goodwin, 197, 248, 254.
Gooding, 205.
Goodrich, 130, 131, 207, 250, 253.
Goodwin, 197, 204.
Goodwyn, 139, 165, 248, 251, 255, 256.
Gordon, 206, 274.
Gore, 117, 269.
Gosport, 175. The Governor's Land, 181.
Gould, 157, 224, 226, 227.
Gouverneur, 306.
Gowing, 254.
Graham, 81.
Grant, 311, 321, 164, 255, 284.
Granville Co., N. C., 113, 196, 197, 198, 275.
Grattan, 133.
Graves, 271.
Gray's Inn, 125.
Great Britain, 73, 101, 223.
Green, 344, 345, 187, 199.
Greater Weyanoke, 115.
Greene, 74.
Greenfield, 310.
Greensville Co, 248.
Gregory, 164, 198, 199.
Greenwich, 291.
Grey, 313.
Grice, 338.
Grider, 335.
Grigsby, 286.
Griffin, 248.
Griffett, 347, 355.
Grigg, 248, 356.
Griggs, 250.
Griswold, 228, 229.
Grizzard, 249.
Groome, 314.
Grove House, 130.
Groves, 340, 355.
Guilford C. H., 320.
Gustin, 158.
Grymes, 89, 95.
Guy, 343, 356.

Hagley, 95.
Haggoman, 338, 339, 355.
Hague, 83.
Halifax, 299, 300, 137, 138, 199.
Halklett, 321.
Hall, 300, 317, 104, 119, 137, 210.
Halleck, 112.
Hamblet, 164.
Hamilton, 308, 341.
Hamlin, 207, 273.
Hammon, 329.
Hampden-Sydney, 86, 135, 137.
Hampton, 358, 359, 86. Hampton Roads, 78.
Hanley, 349.
Handford, 271.
Hannay's *Queen's Rangers*, 325.
Hanover, 90, 139, 142, 204, 205, 207, 228.
Hansbrough, 260.
Hansford, 358, 159, 205, 270.
Hants, 207.
Hapsburg, 358.
Harden, 104.
Hardiman, 116.
Harding, 104-110.
Hardwood, 106.
Harfield, 204.
Hardye, 125, 126.
Hardyman, 164.
Harlston, 126.
Harmar, 321.
Harmanson, 338, 343, 344, 346, 349, 350, 353, 356.
Harmer, 190, 191.
Harper's Weekly, 154.
Harris, 119, 120, 182, 253, 271, 272.
Harrison, 289, 320, 321, 329, 330, 339, 341, 344, 352, 89, 97, 114, 130, 132, 140, 158, 170, 174, 197, 198, 199, 200, 249-251, 255, 278, 282, 284-286.
Harte, 118.
Hartford, 300, 301, 306.
Hartford Convention, 300, 301, 306.
Hartley, 325.
Harvard College, 80.
Harvey, 115.
Harwell, 250. Harwood, 305-308, 164, 280.
Hassinunga, 315, 316, 318.
Hawkes, 158. Hawkins, 206, 219.
Hawkins Co., 357.
Hay, 302, 306, 190, 209, 212, 213, 220, 221.
Hayden, *Va. Genealogies*, 335. Haynie, 107, 108.
Hays, 349.
Hayes, 256.
Hayley, 253.
Haynie, 107, 108.
Haywood, 304, 325.
Hazel River, 316.
Hazelwood, 95.
Heath, 349, 351.
Heathsville, 104.
Heitman's Register, 275.
Henderson, 306, 142, 193, 224, 228, 230, 306.

Hening, *States at Large*, 290, 234.
Henley, 204.
Henrico Co., 205, 266.
Henry, 349, 78, 80, 81, 88, 99, 135, 138, 139, 214, 257.
Herndon, 149.
Hervey, 164.
Hesse, 78.
Hethersett, 125, 126, 128, 129.
Hexham Abbey, 87.
Heyward, 86.
Hichman, 352.
Hicks, 249.
The Highlands, 307.
Hill, 115, 124, 158, 164, 255, 256.
Hilliard, 164.
Hilson, 309.
Hind, 120.
Hines, 255.
Hinton, 115, 200.
Hitt, 329.
Hoal, 313.
Hobbs, 250, 252.
Holbrook, 339.
Holdsworth, 164.
Hodgson, *Cradle of the Confederacy*, 98, 101.
Holdsworth, 164.
Holladay, 257-262.
Holland, 342, 347, 83, 126, 127.
Hollen, 329.
Holt, 342, 345, 154, 188, 255.
Holton, 329.
Hopkins, 186.
Hoppin, 329.
The Horne, 117, 120.
Hornsby, 204.
Hosack, 304.
Hotten, *List of Emigrants to America*, 117, 122, 123.
House, 251.
Houston, 264.
Howard, 244, 245.
Howe, 76.
Hoyt, 228, 229.
Hudson River, 306, 307, 309.
Hudson, 253.
Huger, 86.
Hughes, 307, 309, 348, 83, 84, 90, 154-156, 272.
Hume, 249, 257, 260, 261.
Humphreys, 109.
Hunnicutt 166.
Hunt, 339, 345, 347, 352, 355, 113, 164, 207, 249, 273, 277, 278.
Hurt, 164.
Hutcheson, 205.
Hutchings, 256.
Hyattsville, 207.
Hyde, 205, 271.
Hynes, 251.

Inglis, 272, 282.
Ingram, 251.
Inner Temple, 127.
Innis, 272.
Irby, 117, 120, 121, 164.
Ireland, 358.
Ireswell, 119.
Iroquois, 319.
Irwin, 120, 159.
Isle of Wight, 140.
Isle of Wight Co., 130, 131, 207.
Izard, 86, 220, 322.

Jackson, 296, 320, 328, 340, 351, 355, 80, 99, 250.
Jackson Co., Tenn., 294, 197.
Jacob, 341, 346, 348, 351, 353, 354.
Jalland, 104, 105.
James, 346, 347, 349.
James City, 121.
James City Co., 177-193.
James River, 314-358, 88, 90, 94, 97, 113, 115, 170, 181, 187, 205.
Jamestown, 327, 328, 142, 146, 187, 214.
Jarratt, 115.
Jarvis, 349, 125.
Jeffers, 254.
Jefferson, 336, 357, 86, 93, 95, 115, 149, 151, 152, 178, 218, 219, 220, 222, 233, 286, 287.
Jeffries, 357, 248.
Jennings, 269.
Jesup, 81.
Jeter, 255, 256.
Johns Hopkins University, 280.
Johnson, 299, 329, 341-343, 351, 353, 354, 358, 91, 105, 106, 150, 158, 164, 205, 253, 258, 276.
Johnston 320.
Jones, 289, 292, 293, 296, 343, 112, 165, 200, 205, 253.
Jonesville, 266.
Jordan, 296, 165, 252, 254, 256.
Joyne, 340, 348, 352.
Joynes, 345, 346, 348.
Justice, 249.

Kamper vs. *Hawkins*, 219.
Kanawha River, 321.
Kane, 301.
Keach, 104.

Keesee, 295.
Keith, 140.
Kellum (Kellam), 339, 352.
Kelly, 330, 343, 138.
Kemp, 347.
Kendall, 338, 341, 343, 345, 346, 349, 353.
Kennon, 113, 114, 138, 200, 278.
Kent, 226.
Kentucky, 321, 324, 113, 207.
Kentucky Hist. Soc., 207.
Kerby, 338.
Kerwin, 338.
Kerr, 157.
Kesmon's Warehouse, 113, 277, 278.
Kilbourn, 157, 226, 227.
Kimber, 132.
Kimbrough, 200.
Kindend, 338.
Kinderhook, 307.
King George Co., 80, 279.
King Joachim, 90.
King's Mountain, 74, 263, 265.
Kingston on Thames, 119.
King William Co., 204.
Knevett, 116, 127, 128.
Knibb, 165.
Knight, 338, 345, 354, 355.
Knox, 306.
Knox Co., Ind., 268.

La Fayette, 322.
Lain, 329.
Lake, George, 300, 301, 309.
Lambert, 190.
Lame Lane, 305.
Lamon, 149, 221.
Lamon's *Life of Lincoln*, 221.
Lancaster Co., 358, 94.
Laneville, 322.
Lanier, 358, 248, 252, 254, 256.
Lansingburgh 306.
Lawrence 250, 254, 256.
Lawson, 320, 254.
Lederer, 316-319.
Lee, 320, 331, 332, 333, 334, 336, 357, 358, 89, 93, 96, 97, 180, 182, 187-190, 223, 266.
Lee's *Memoirs*, 320, 332.
Legaré, 303, 305.
Le Horne, 117, 118.
Lemount, 338.
Lennard, 164.
Leroy, 303.
Levant, The, 294.
Lewes, 140, 338.
Lewis, 320, 321, 357, 142.
Lewis, Tavern, 297, 306.
Lightfoot, 95.
Liberty, The, 74, 148, 149, 150, 155, 188.
Lincoln, 74, 148-150, 155, 208-215, 220, 221.
Lindsay (Lindsey), 302-306.
Litchfield, 157, 224-230.
Litchfield Hill, 224.
Livingston, 296, 301-305, 307, 308.
Lloyd, 90, 133, 158.
Lloyd House, 90.
Lockett, 302-305.
Locust Farm, 93.
Loftin, 250.
Lomax, 95.
London, 82, 104, 115, 117, 118, 119, 126-128, 141, 192, 269.
London Company, 314.
Londonderry, 247, 147, 185.
London Times, 209.
Loring, 226.
Louisville, 113, 267, 277, 278.
Love, 277.
Louis XVI, 281.
Lowndes, 158.
Lucas, 359, 314, 246, 256, 258.
Luckett, 132.
Ludlow, 304.
Ludwell, 289.
Lundy, 158, 249.
Lunenburg Co., 204.
Lusk, 264.
Lyddall, 140, 141.
Lyme, 228.
Lynchburg, 136.
Lyndsay, 105.
Lyne, 277.
Lyngey, 106.

Mabry, 248, 251, 252.
Maclin, 250, 256.
Macon, 113, 114, 273, 279.
Madison, 84, 93, 96, 174, 207, 219, 221.
Magazine of American History, 228.
Magruder, 212, 271.
Mahone, 204.
Major, 164.
Mallory, 78.
Mathis, 164.
Managog, 318.
Manahoacs, 315-320.
Manegault, 294.
Mangum, 248.
Manley, 121.
Marable, 164, 207.
Marbury vs. *Madison*, 218, 219, 221.

Marcy, 81.
Marion, 74.
Markham, 270.
Mark Lane, 119, 120.
Marot, 271, 272, 282.
Marshall, 320, 207, 219-222.
Marsham, 119, 120.
Marston Parish, 271.
Martin, 269.
Martineau, 85.
Martins Hundred, 271.
Marydale, 268.
Maryland, 306, 90, 146, 85.
Maryville, 265, 266.
Mosco, 315.
Mason, 157, 158, 249, 256.
Massachusetts Bay Co., 148.
Massawomeck, 318.
Massey, 253.
Mather, 85.
Mattox, 311.
Mattapone, 105-108.
Mathews, 115.
Matthews, 311, 76, 77.
Maupin, 180, 247.
Mayflower, 146, 147.
Maynard, 164.
McCarty, 206.
McCauley, 158.
McClure, 149.
McFarland, 158.
McIlwaine, 290.
McH., 164.
McKendree, 251.
McKentree's Bridge, 138.
McKenzie, 205.
McLemore, 248.
McPherson, 86.
McRobert, 136.
Mead, 132.
Mecklenburg Co., 113, 138.
Medill, 256.
Medley, 268.
Menitree, 164.
Mercer, 295, 306, 320.
Merrill, 132.
Merry, 164.
Meusnier, 218, 219.
Miamis, 321.
Middlesex Co., 289, 119, 124, 125, 196.
Miller, 307, 157, 282.
Minge, 113, 114, 165, 273, 274, 277, 278.
Minories without Aldgate, 120.
Mingoes, 321.
Minor, 132, 133, 134, 282.
Mississippi Valley, *Historical Review*, 325.
Mitchell, 249, 250, 253, 254, 255.
Mobile, 101.
Mohawk Falls, 306.
Mohaw River, 297.
Monacans, 317, 318, 319.
Monroe, 329, 93, 96, 194, 282.
Montpelier, 84.
Monumental Church, 194.
Mooney, 317, 318.
Moore, 225, 282.
Morecock, 164.
Mordecai, 195.
Morehead, 209.
Moreton, 290.
Morgan, 157, 283.
Morrill, Tariff, 211.
Morris, 289, 300, 92, 164, 166, 171-176. 194, 254.
Morrissania, 92.
Morrison, 135, 157.
Morson, 158.
Mortimer, 87.
Morton, 136.
Moryson, 289.
Mosco, 315.
Moseley, 196, 109.
Moss, 253.
Mountcastle, 164.
Mt. Airy, 80, 88, 94.
Moss Neck, 95.
Mt. Vernon, 96.
Muhlenburg, 189.
Mulberry Run, 263.
Munford, 138, 164.
Munroe Creek, 194.
Murat, 90.
Murfree, 276.
Murphy, 197.
Murray, 145.
Murray Co., Scotland, 206.
Murrell, 253.
Muscle Shoals, 137.
Myers, 302, 303, 305.

Nance, 164, 165.
Napoleon, 90.
Nassawomek, 318.
Neavel, 329.
Neill, *Va.-Carolorum*, 286.
Neilson, 306.
Nelson, 90, 97, 152, 158, 193, 272, 273.
New, 164, 165.
Newark, 309.
Newbold, 298, 300, 305.
Newburgh, 307.
New Brunswick, 325, 326.
New Castle, 87.
Newell, 264, 265.

New England, 326, 359, 79, 148.
New Hampshire, 80, 306, 80, 222.
New Jersey, 297, 309, 327, 219.
New Kent Co., 140, 141, 281.
New London, 137.
New Orleans, 297, 89, 211.
Newport, 314, 140.
Newton, 206.
New Providence Cemetery, 264, 266.
Newsom, 245.
Newton, 206.
New York, 294, 295, 296, 303-310, 332, 92, 95, 131, 146, 208, 211.
New York Public Library, 325.
New York Times, 224.
New York Herald, 212.
New York World, 212.
Niagara Falls, 309.
Nicholson, 151, 248.
Nicholas, 151.
Nicolay and Hay, 211, 221.
Nixon, 175, 176.
Noland, 132, 133, 134.
Nomini Hall, 94.
Nolen, 341.
Norfolk, 302, 324, 357, 77, 125, 126-129, 156, 216.
Norman, 260.
Northampton, 312, 313, 327, 217.
North Carolina Booklet, 228.
North Carolina 305, 306, 308, 77, 157, 158, 219, 275.
North Farnham Parish, 108.
Northern Neck, 93-97.
North Fork, 316.
Northumberland, 87, 90, 110.
Norwalk, 110.
Nottingham, 338.
Nottoway River, 207.
Nottoway Co., 282.
Nuttall, 158.
Nutter, 301, 305.
Nutting, 271.

Obi, 296.
Odear, 340, 342, 345.
Official War Records, 154.
Ogilvie, 280.
Ogle, 80, 81, 87, 88.
O'Hara, 157.
Ohio, 148, 197.
Old Franklin, 257.
O'Kelly, 138.
Old Kent, Md., 358.
Oldham, 329.
Oliver, 259.
Olton, 125.
Ontponea.
Opekankano, 315.
Orange, N. J., 327.
Orange Co., 318, 319.
Orley, 104, 105, 107.
Orr, 205.
Otey, 164.
Outten, 342, 349.
Owen, 342.
Oxford, Lord, 87.
Oxford, N. C., 198.

Packe, 159.
Page, 342, 90, 97.
Palfrey, *New England*, 147, 148.
Palmer, 108, 118.
Panke, 170.
Parham, 251, 252.
Parke, 322.
Parker, 342, 351, 269.
Parkerson, 342.
Park Place, 308.
Parramore, 342.
Parrish, 164.
Parrot, 107.
Parsons, 342, 347, 349, 206, 270.
Passaic, 309.
Pasteur, 158, 205.
Pavely, 164.
Paulers Hook, 309.
Paulerspury Church, 131.
Payne, 249, 271.
Peachey, 322.
Peak, 342.
Pearson, 164, 248.
Peebles, 253.
Pegram, 204, 270.
Peirce, 131.
Peirsey, 115, 116.
Peirsey's Hundred, 116, 253. 254, 256.
Pelham, 249, 253-256.
Pendleton, 200.
Penn, 259.
Pennsylvania, 326, 327, 74, 86, 121, 146.
Pepper, 329.
Perry, 164, 250, 252.
Person, 252, 254.
Peterkin, 342.
Peters, 171, 254.
Petersburg, 294, 300, 305, 306, 138, 189.
Peterson, 249, 253.
Pettitake Cr., 269.
Pettit, 342, 343, 345, 350, 355.
Pettus, 337.
Pettway, 250, 255.

Peytonsburg, 135, 136.
Phaben, 342, 343.
Philadelphia, 294, 116, 132, 137.
Phillips, 305, 306, 254.
Phillips Academy, 80.
Phillipson, 205.
Piatt, 149.
Phocion, 152.
Pickens, 74, 210, 211, 212, 214.
Pickett, 320, 153.
Pierce, 121.
Pierson, 343.
Pigot, 338, 339, 343.
Pike, 164.
Pinckney, 86.
Pitts, 342, 343, 346, 348, 351, 354.
Pilgrim Fathers, 145, 146.
Pittsylvania Co., 135, 136.
Pizarro, 308.
Plantagenet, 85.
Pleasants, 166.
Plumstead, 120.
Plymouth, 148, 359.
Plymouth Co., 142, 147.
Plymouth Rock, 147.
Pocahontas, 315.
Pohick Church, 96.
Poincare, 200.
Point Pleasant, 320, 321
Polk, 81, 157, 228, 230.
Pond, 273.
Pope, 148, 190.
Pope's Creek, 95.
Poplar Forest, 233.
Port Tobago, 95.
Portsmouth, 312, 77.
Port Royal, 95.
Potomac, 88, 93-97.
Potter, 343.
Pouncey, 140.
Poughkeepsie, 307.
Powell, 308, 343, 344, 132, 133, 164, 205, 256, 268, 269, 270.
Powell's Creek, 115.
Powers, 271.
Powhatan, 314, 315.
Poynter, 164.
Poythress, 116.
Pratt, 343, 355.
Preeson, 338, 343.
Prentis, 343, 205.
Press, 343.
Preston, 157, 233.
Prevost, 305, 308, 309.
Prichard, 255.
Prince Edward Co., 135, 136, 137.
Prince George Co., 116.
Princeton College, 295, 135, 137.
Princeton, 295, 320, 274.
Pritchett, 253, 255.
Pugh, 305-309, 343, 197.
Purvis, 337.

Quakers, 166-170, 271.
Queen's Creek, 192.
Queen's Loyal Va. Regiment, 326.
Queen Mary's Port, 192.
Quincy, 80, 81.
Quisenberry, 207.
Quitman, 101-104.

Rabyform, 343.
The Rainbow, 312.
Rains, 244.
Raleigh, 228.
Ramseur, 284.
Randolph, 89, 97, 139.
Rappahannock River, 315, 316, 88, 95, 96.
The Raritan River, 295.
Rasin, 343, 350.
Ravenscroft, 138.
Rawlings (Rawlins, Rollins), 253, 257-262.
Rawls, 253.
Raymond, 325.
Read, 136, 255.
Reade, 272.
Reafield (Rafield), 343, 352.
Reams, 253.
Reconstruction Committee, 213.
"The Reeds," 89.
Reeve, 121, 157, 224, 225, 227.
Reeder, 282.
Respess, 343, 344.
Reynolds, 343, 89.
Rhode Island, 297, 148, 219, 222, 223.
Rhodes, 204, 205.
Rice, 105.
Richardson, 344.
Richmond Co., 108.
Richmond, 303, 136, 138, 172, 175, 212, 233, 263, 279, 280.
Richmond Dispatch, 154.
Richmond Enquirer, 151, 153, 195, 279, 280.
Richmond Examiner, 212.
Richmond Standard, 294.
Rickard, 260.
Rickman, 180.
Riddlehurst, 164.
Rivers, 248, 251.
Rives, 250, 254, 256.
Rider, 140.

Ridley, 274.
Riley's Tavern, 306.
Ring, 271.
Rippin, 343, 344, 353.
Ritchie, 153.
Roach, 164.
Robb, 194.
Roberts, 338, 339, 341, 344, 345, 348, 349, 271.
Robertson, 296, 142, 159, 199.
Robins, 340, 343, 344, 345, 346, 351, 353, 354.
Robinson, 109, 140, 159, 193, 249, 256.
Rockaway, 327.
Rochelle, 279.
Rocke, 164.
Rodgers, 344, 248.
Roe, 249.
Ronald, 344.
Rooks, 344.
Roosevelt, 284.
Roper, 164.
Rose, 295, 344, 345.
Roscoe, 340, 344.
Rosegill, 89, 95.
Ross, 136, 138.
Rosser, 254, 255.
Rossingham, 115, 116, 125-129.
Rudolph II, 314.
Rowland, 107, 108.
Royall, 165.
Royster, 164.
Rowell, 256.
Ruffin, 308.
Russell, 345, 183.
Ryerson, 325.

Saals, 353.
Sabine Hall, 94.
Sabine's, *Loyalists*, 325, 327, 328, 130.
Sabra, 351.
Salisbury, 344, 228.
Salt, 344.
Salts, 344, 352.
Salwoods, 131.
Sammons, 250, 254.
Sample, 353.
Sampson, 345.
Sandidge, 257, 259, 262.
Sanford (Sandford), 345, 351, 264, 266.
Saratoga, 294, 297-306.
Satchell, 339, 341, 345, 347, 348.
Saunders, 345, 355, 193.
Saunders Quarter, 109.
Savannah, 300, 301.
Savage, 313, 339, 341, 343, 345, 346, 348, 351, 355.
Scarborough, 346.
Scarsbrick, 271.
Schley, 284.
Schleiden, 209.
Schouler, 210, 213.
Schuylkill River, 309.
Scipio, 273.
Scott, 296, 320, 339, 345-350, 353, 354, 358, 81, 83, 84, 205, 210, 261, 262.
Scottow, 125.
The Seahorse, 295.
Seawell, 111, 112.
Selden, 89.
Semple, 202, 281, 282.
Sequeyra, 185.
Servant, 247.
Setton (Seaton), 347.
Seward, 208, 210, 211.
Sewell's Point, 78.
Sexton, 255.
Seymour, 342, 347.
Shackaconia, 318.
Shakespeare, 146, 213.
Sharpe, 87, 271, 282.
Sharpley, 132.
Shawnees, 321.
Shedden, 131, 207.
Shehorn, 253.
Sheild, 159, 205.
Shell, 164.
Shelby, 265.
Sheldon, 271.
Shelton, 255.
Shepherd, 346.
Sheridan, 311.
Sherman, 311.
Sherwood, 207, 280.
Sherwood Forest, 358.
Shields, 205, 270, 272, 282.
Shilton, 129.
Shirley, 88, 89.
Shore, 294.
Sickles, 347.
Siebert, 325.
Sills, 253, 254.
Simms (Sims), 249, 253, 263, 265, 268, 283.
Simpkins, 346, 353.
Sisco, 346.
Skelton, 294.
Skinners Company, 140.
Skinker, 194.
Skipwith, 322.
Slate, 254.
Slater, 271, 272.
Slaughter, *Bristol Parish*, 294.
Sledge, 199.
Slightholm, 115.

Sloane, 125.
Small, 287.
Smaw, 347.
Smith, 289, 303, 314, 317, 318, 322, 327, 329, 342, 346-351, 354, 82, 132, 137, 152, 158, 159, 193, 196-200, 218, 250, 253, 256, 272-274.
Smith, *General Historie*, 316.
Smollett, 76.
Smythe, 268, 282.
Somerset House, 117.
Snails, 344.
Snale, 353.
Snead, 348, 353.
Snider, 329.
South, 124.
Southall, 139, 151, 165.
Southampton, 123, 140.
Southants, 121, 123.
Southwestern Quarterly Review, 210.
South Carolina, 300, 303, 308, 73, 86, 146, 148, 186, 200, 211, 212, 222, 275.
Southern Literary Messenger, 245.
Southwark Parish, 117, 118, 120, 268, 269.
Spady, 348, 354.
Sparkes, 269.
Speakman, 348, 356.
Spence, 254.
Spencer, 348.
Spicelly, 250.
The Spirit of the Times, 85.
Spires, 158.
Spotsylvania, 318, 257, 261, 262, 270.
Spotswood, 271.
Spragin, 164.
Spring Hill, Tenn., 198.
St. Albans, 290, 292, 293, 119.
St. Anthony Nose, 307.
St. Augustine, 194.
St. Catharine Creechurch, 119.
St. Clair, 321.
St. John's River, 325.
St. Margaret's Westminster, 271.
St. Mary Oneryes, 268.
St. Mary White Chappell, 105.
St. Paul's Churchyard, 358.
St. Peter's, 141.
St. Savior, 117, 268.
St. Stephens, 107, 109.
Stafford, 316, 318, 272.
Standfield Hall, 126, 129.
Stakes, 343.
Stanley Hundred, 125.
Stanley, 121.
Stark, *Loyalists*, 325.
Stark, 186, 187.
Stanton, 211.
Staunton, 212.
State Archives, 160.
Stephens, 115, 116.
Stephenson, 148, 149.
Sterne, 298.
Stevens, 320, 341, 343, 348-350, 150.
Stewart, 255.
Stith, 340, 346, 349, 218, 255.
Stockholm, 83.
Stoke Newington, 119.
Stockley, 349, 351, 354, 355.
Stockton, 295.
Stony Point, 307.
Storke, 279.
Stott, 299, 300, 303, 305, 306, 345, 349, 352, 354.
Stovall, 198.
Stowe, 225.
Stratford, 88, 89.
Stratton, 341, 344, 355, 356, 120.
Stringer, 341, 345, 349, 350, 352.
Stripe, 349.
Strother, 207.
Stuart, 320, 194.
Stubblefield, 164.
Sturgis, 350.
Sullivan, 282.
Sunken Marsh, 269.
Summers, 213, 214.
Sumner, *Andrew Jackson*, 220.
Sumner, 150, 220.
Sumter, 74.
Swan Neck Cr., 114.
Surry, 268, 269, 286, 117, 119, 207.
Sutton, 265.
Sykes, 250, 254.
Syme, 306.
Symmes, 152, 153.

Tabb, 350, 206.
Tabour, 249.
Tacci, 318.
Talbot, 327, 90.
Taliaferro, 95, 157.
Talifer, 316.
Tallahassee, 112.
Tampa, 112.
Taney, 220.
Tankard, 350, 353.
Tanks Weyanoke, 115.
Tanxnitanias, 316, 318.
Tappahannock, 316.
Tarr, 132.
Tasker, 87.
Tayloe, 80, 81, 85, 88, 89, 94-96.
Taylor, 330, 335-338, 341, 344, 350, 355, 81, 95, 116, 118, 121, 138, 158.

Taylor's Spring, 300.
Tazewell, 349, 359, 282, 286.
Teackle, 350.
Teague, 350.
Tecumseh, 321.
Tegninateo, 318.
Tenasee, 137.
Ten Springs, 300.
Tennessee, 176, 197.
Tennant, 203.
Terrell, 140, 164, 166.
Terrible Creek, 138.
The Thames, 321.
Thickthorne, 128.
Thomas, 320, 337, 343, 350, 261.
Thomson, 348, 350, 165.
Thompson, 350, 109.
Thornton, 88, 90, 133.
Tidewater Virginia, 311.
Tillyard, 272.
Timberlake, 164.
Timson, 159, 205, 273.
Tilney, 351.
Timmons, 351.
Tobacco Point, 115.
Todd, 321.
Toleman, 351.
Tomkins, 351.
Tompkins, 355.
Tomlinson, 254.
Topsham, 130.
Torr Abbey, 130, 207.
Torrington, 226.
Toton, 279.
Toucey, 156.
Towns, 251.
Townsend, 154.
Transylvania, 314.
Travers, 187.
Travis, 350, 351.
Trenton, 320.
Tretheway, 290.
Trevillian, 272.
Trigg, 321.
Trimble, 307.
Tristam Shandy, 298.
Trower, 348, 351.
Troy, 306.
Truitt, 351.
Trumbull, 209.
Tulip Hall, 90.
Turkey Island, 245.
Turenne, 84.
Turner, 339, 340, 342, 345, 346, 351, 111, 140, 149, 153, 249, 251, 253, 255.
Turpin, 351.
Twiford, 340, 353.
Tyler, 348, 359, 111, 140, 149, 151, 152, 177, 179, 192, 272, 273, 282, 284, 286.
Tyree, 164.
Tyson, 351.
Underhill, 339, 344, 351, 271.
Underwood, 337.
University of North Carolina, 230.
University of Virginia, 233, 281, 282, 286, 287.
Upshur, 339, 350, 351.
Urbanna, 89.

Vaiden, 164.
Valley Forge, 77, 188, 199.
Valley of Virginia, 311, 142.
Vance, 264.
Vandegrot, 353.
Van Flick, *Loyalism in New York*, 325.
"Vanity," 91.
Van Meter, 158.
Van Rannselaer, 307.
Van Tyne, *Loyalists*, 325
Varennes, 200.
Vaughan, 250, 270.
Vawter, 351.
Venable, 135-137.
Venice, 194.
Vermillion, 351.
Vermont, 300.
Vernon, 205.
Viccaris, 351.
Vigo Co., Ind., 23.
Vincent, 252, 253.
Virginia, 85, 223.
Virginia Co., 147.
Virginia Gazette, 217.
Virginia Historical Register, 76.
Virginia Magazine, 127.
Virginia State Library, 290.

Waddell, 164.
Wade, 271.
Wager, 158.
Wainhouse, 340.
Wakefield, 351.
Walker, 344, 33, 164, 271.
Wall, 248, 256.
Waller, 205, 272, 342.
Waller's Creek, 266.
Walpole, 249.
Walter, 338, 352, 345, 349.
Waltham, 357.
Walton, 302, 249, 253, 256.
Warburton, 182, 257, 266.
Washington Co., 263.

Ward, 352.
Ware, 352.
Waring, 194.
Warren, 341, 347, 349, 352, 196-200.
Warrenton, 352.
Warwick Co., 206.
Washington, 320, 331, 334, 85, 86, 136, 148, 149, 172, 178, 199, 207, 212, 213.
Washington Co., 263, 265.
Waterfield, 342, 349, 352.
"Waterford Beauty," 301, 309.
Waterman, 306.
Waters, 352, 353.
Waterson, 340, 341, 352.
Watkins, 137, 180.
Watson, 340, 353, 356, 80, 85.
Watt, 353, 287.
Watts, 301, 353, 354, 137, 138.
Waugh, 260.
Wayne, 321.
Weaver, 251
Webb, 353, 196-199, 269.
Webster, 320, 82, 91.
Weedon, 320.
Weeks, 343, 347, 351, 353
Welles, 156.
Wellington, 83.
West, 115, 116, 122, 123, 124, 129.
Westcoat, 353.
Westerhouse, 339, 347, 348, 350, 353, 354.
West over, 322, 88.
West Point, 307, 284.
Whaley, 353.
Whaley's Free School, 193.
Wheeler, 339, 348, 350, 352, 353.
White, 347, 353, 354, 355, 209, 263.
Whitehead, 347, 354.
Whitehorn, 249.
Whitfield, 199.
Whittington, 248, 255.
Whonkentia, 316, 318.
Wickham, 303.
Widgeon, 351, 354.
Wight, 158.
Wilkins, 340, 341, 342, 344, 348, 349, 351-356, 158, 251, 254, 256.
Wilkinson, 356, 182.
Willcox, 116, 164.
William and Mary Quarterly, 140, 245, 247, 286.
Wilmington, Del., 357.
The William, 324.
William and Mary College, 289, 295, 178, 181, 195, 224, 234-243.
Williams, 343, 350, 355, 164, 199, 207, 269.
Williamsburg, 179, 180, 182, 188, 192, 193, 201, 202, 203, 204, 247, 282.
Williamson, 306-309, 164, 196, 248, 249, 256, 205, 207.
Willis, 340, 344, 354, 358, 90.
Willitt, 348, 355.
Wilson, 338, 342, 343, 354, 355, 356, 357, 132, 149.
Wilson's Landing, 278.
Wimbish, 135.
Winchester, 336.
Wingate, 342, 356.
Winington, 289
Winn, 329.
Winslow, 158.
Wise, 342, 349, 356.
Witherspoon, 132.
Woodford, 255.
Wooding, 282.
Woodlief, 255.
Womack, 251.
Wood, 340, 356, 164.
Woodard, 356.
Woodford, 255.
Wooding, 282.
Woodlief, 255.
Wool, 81.
Wormeley, 89, 95, 97, 205.
Worsham, 200.
Worth, 81, 111, 112.
Wrenn, 249, 250, 251.
Wyche, 254
Wright, 329, 356, 204.
Wye, 90.
Wymondham, 126.
Wynne, 358.
Wythe, 357, 157, 218, 224, 282.

Yale College, 146.
Yankees, 298.
Yardley (Yeardley), 115-127, 129.
Yates, 305.
Yazoo, 137, 138.
Yeocomico, 93, 94.
Yerby, 356.
Yerwood, 118, 119.
York, 190.
York Co., 204-206, 270-273.
York Hampton Parish, 204, 270-272.
York Island, 320.
York Parish, 204.
York "Old Fields," 206.
York River, 327, 97, 205.
Yorktown, 327, 272.
Young, 356, 205, 248.

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